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Belgium

Neutral and Loyal



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Belgium

Neutral and Loyal

The War of 1914

By

Émile Waxweiler

Director of the Solway Institute of Sociology at Brussels

Member of the Royal Academy of Belgium



G. P. Putnam's Sons
New York and London
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1915



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PUBLISHERS' NOTE

This book, which is now issued in an English translation, appeared originally some months ago in Switzerland, where the author had undertaken to vindicate his fatherland before the public opinion of that neutral country whose sympathy Belgium so highly appreciates.

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The book was published simultaneously in French at Lausanne, and in German at Zürich. Both editions met with an astonishing success and were repeatedly reprinted.

Reclass. M.P. 6-19-36
The book penetrated extensively into Germany where it made so deep an impression that the socialist paper *Vorwärts*, notwithstanding the Imperial censorship, published an article commenting on the book and advising all German socialists to read it. Only recently a prominent lawyer in Germany wrote to the Zürich Editor, Orell Füssli, to express his sympathy with the book which he said had been unjustly attacked in his country. In all the leading Swiss papers, German as well as French, important articles have expressed the sincerest approval.

The author is well known by his numerous publications on social problems, and the Solvay Institute of Sociology in Brussels, of which he is the organizer and leader, has won a well deserved fame.

It is due to Professor Waxweiler's scientific attitude of mind and his special training that the work possesses the calm objective character which has so impressed neutral countries.

The book is based on the most authoritative Belgian sources, and the latest information has been taken into account in the preparation of the English edition.

PREFACE

"Truth must constantly be re-stated, for falsehood never ceases to whisper in our ears, and works not through individuals but through masses."

Goethe:

*"Conversations with
Eckermann."*

When unjust accusations are made against the honour of any one who is dear to us, when doubts are thrown on his honesty and his loyalty is questioned, we are carried away by an irrepressible feeling of sorrow and anger. And if he undergoes moral suffering at the same time that he is overwhelmed by other misfortunes, our souls are wrung with such anguish that it seems worth any effort to hasten the work of reparation.

These are the feelings of every Belgian to-day on the subject of his country.

That country has been given up to the devastation and outrages of war. The confidence which she placed in solemn promises has been betrayed. There is no torture to which she has not been subjected. Now charges are made against her loyalty and she

becomes at once hateful to her enemies and an object of suspicion even to some of her friends. What task could be sweeter than to undertake her full defence? Not to write for her an apologia or even a plea; but to state simply and frankly what she is and what she has done. Germany seeks to throw discredit upon the manner in which Belgium interpreted her duties as a neutral before the war; accusations are heaped upon her; she is spoken of only in accents of hostility; Germany is apparently making a deliberate attempt to prevent others from entertaining for her feelings of affection and respect.

In the universal turmoil of the present moment public opinion is slow in forming; it is fostered mainly by impressions. Perhaps the moment has come to lay facts before it. To clear up every doubt and furnish the material for a considered judgment, it will not be superfluous to meet every accusation, even those whose mere recital violates common sense, and to bestow upon them more attention than might at first sight be considered appropriate. Belgium has nothing with which to reproach herself; it is due to her that this should be proved by evidence; that no piece of testimony should be omitted and that every mistake and every slander should be exposed firmly but dispassionately.

Other nations besides my own have an equal interest in this. To represent Belgium as having failed to keep her promises strikes a blow at the cause of little nations and at the theory of perpetual neutrality.

The history of the future will without doubt be that of the free development of nations, jealous of their independence and impatient to escape from the play of intrigue and the hegemony of foreign influence. The nations which have grown great under the shelter of the sanction of law, as well as those who may perhaps dream of attaining that benefit in the future, ought to have full knowledge of the lessons of the experience of Belgium.

These lines are dated from Switzerland. In this country, which bears so strong a resemblance to my own, I have found not only the moral support of sympathy but also that moderate and critical attitude of mind which is necessary for one who undertakes a work in which so much restraint is necessarily placed upon the feelings of the writer.

With a view to making this little work as valuable as possible I have deliberately submitted all my statements to the most searching criticism, for the scientific mind is among the most scrupulous. I thank very sincerely all those who, whether abroad or in what remains of my country, have enabled me

to collect the truth, even when by its very nature, or owing to the position of those from whom I learned it, it was necessarily to be kept secret.

It is not without a certain regret that I bring to an end this book. I found in writing it the pleasure of one who dwells lingeringly on a misfortune by way of consolation. I commit it to all those who have preserved their minds from malice and prejudice.

EMILE WAXWEILER.

GENEVA, December, 1914.

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I

Up to 7 P. M. on August 2, 1914

The War of 1914

I

UP TO 7 P.M. ON AUGUST 2, 1914

DURING the last twenty-five years there had been a great change in the attitude of Belgian public opinion toward matters German. That kind of half-mystical admiration inspired by a power which one does not understand was on the wane; people had become anxious to get a nearer view of this power and were curious to understand it.

Belgians had seen Germans in many fields of activity. In the first place, they had noticed the arrival in their own country, in ever-increasing numbers, of industrious and persevering young men who sought for employment, often poorly paid, in banks, manufactories, and shops. Side by side with them there came men of technical knowledge who had gone through a highly specialized professional education and were thus assured

of the most coveted posts in factories and laboratories. Then came the great financial or commercial firms in which a German staff managed German capital, or representatives of German houses who travelled through town and country to establish their business and strengthen their relations with their customers. Even in the case of certain enterprises which remained Belgian, either nominally or actually, the participation of German financial groups introduced influences whose effect was often very far-reaching.

This invasion, it is true, gave rise to a certain amount of doubt and reserve among those who were injured in their private interests by the competition of the foreigner, but these formed only a very small minority; the public at large set a high value on the zeal and the exact and deep knowledge of the young Germans, and these foreigners were often held up as an example to the young men of the country who were too apt to take no trouble to keep the places which the invaders took from them.

Every year, in the summer, more than 20,000 German families visited the watering places on the Belgian coast; Blankenberghe, Heyst, Knocke, and even the more modern resorts of Westende and Duinbergen were considered almost as German

watering places. "You cannot imagine," wrote a German lady in a letter published two years ago in the weekly review, *Die Woche*, "the charm of life on the Belgian coast; it is of the simple and homely type to which we Germans attach so much importance." The welcome given to these visitors by the inhabitants was warm and cordial. The latter enjoyed hearing in front of the hotels the jolly or serious songs which the summer visitors sung in chorus on the evenings of *Liederabend*. When children's parties were organized on the beach or among the dunes it was quite common to see as many German as Belgian little flags.

A great number of German experts in different subjects as well as ordinary tourists were attracted also by Exhibitions and Congresses. Brussels was the natural place for international gatherings and associations, which found there obvious political and geographical advantages. In particular, in 1910, the German participations in the Universal Exhibition and in the Congresses held at that time greatly increased the intercourse between Belgians and Germans, and the latter did not fail to take every opportunity of expressing their pleasure at being received with so much sympathy.

German schools were established at Antwerp

and Brussels. They benefited by the prestige of German educational methods; they were directed by men of ability and conducted with obvious care for good education and did not fail to attract a large number of Belgian children. At the same time German publishing firms brought before the Belgian public extensive library facilities in a thousand small ways and thus secured a large trade in books and magazines.

Other circumstances also tended to bring the two countries together.

Industrially, Belgium lives by its export trade; in several markets of the world she was encountering more and more the competition of German production. In self-defence she set herself to study, no longer superficially but deliberately and carefully, the causes of the enormous economic progress of Germany. Young people who were intended for business were forced by the imperative need of knowing the language of their formidable competitor to learn to speak and write German. Books on the training of German merchants, manufacturers, and bankers were read greedily. "Give us young men educated like the Germans," said King Leopold II. the last time that he received the staff of the University of Brussels at the Royal Palace on New

Year's Day. Committees to study conditions in Germany were sent to that country; close personal ties were formed. The true reason for the economic activity of the present day became obvious. In Germany, just as in the United States, it was through "Organization" that capital as well as labour produced an unexpectedly productive return.

German Organization and Co-ordination were found in the powerful groups of manufacturers which lined both frontiers, and were the cause of the periodical meetings of representatives of metal, glass, and chemical works as well as textile manufactories from Belgium, Germany, and other countries. They were found also in those modern cities, like Düsseldorf or Frankfort, in which the pressure of modern needs has produced a form of municipal government whose successful results cannot fail to be recognized.

In all these matters there was a free interchange of ideas between the two countries. The Germans, somewhat surprised to find the Belgians so receptive of the views of their neighbours, threw open to them their reviews and daily papers. They even came themselves with a view to studying the conditions of the country and to seeing at close quarters the little nation which

was growing up by their side, and they took pleasure in discovering at the same time its great qualities and extensive resources. For several years the great German papers of Berlin, Frankfurt, and Cologne had accredited correspondents in Belgium who followed the vicissitudes of the political and economic life of the country with skill and interest.

But it was in the realm of science that the mutual currents of influence and thought became most frequent and most regular.

For several years it has been true to say that a young Belgian man of science was hardly entitled to serious consideration if he had not attended a German University. Each of these students in the course of his stay in Germany established an outpost of scientific good-fellowship, whither he often returned and whence emanated mutual help and exchanges of correspondence.

In psychology, physiology, chemistry, medicine, and the natural sciences those engaged in research were grouped together by the periodical publications, the *Jahresberichte* and regular meetings of Congresses, or were divided into groups in accordance with their various lines of study. Vacation courses, particularly in the science of education, attracted more and more the

minds of those who were curious to study new methods.

In the social sciences it was German science which produced in Belgium the great thaw of which the French economist, Charles Gide, spoke in his memorable lecture. The famous manifesto of Eisenach which gave a new direction to social politics awakened a late but loud echo among the generation in Belgium which was receiving its education about 1890. In the more general realm of sociology an agreement between my German colleagues and myself had resulted quite recently in the issuance of a periodical published conjointly. Close ties united on the one hand the leaders of Belgian socialism with those of German social democracy, and on the other hand the chiefs of the Catholic democracy in the two countries.

None of these things was in any way surprising, for it was inevitable that Belgium should be impressed by the strong influence of Germany; but they were novel. It was strange to all those who had known Belgians at an earlier stage of their development to see them now so well-informed on all aspects of German life.

There were some who were annoyed at the developments which we have just described. Was

there not a risk lest this attitude of welcome should lend itself to an unfortunate subservience? Was not this policy of the open door preparing the way for an overwhelming influence of Germany upon Belgium? In certain quarters, for example, attempts were made to collect together evidence of German predominance at Antwerp, the metropolis of sea-borne trade and the indispensable centre for Belgian imports and exports.

But it was easy to allay this mistrust. After all a great part of the hinterland of the Port of Antwerp was geographically German; it was natural and inevitable that German firms should have installed branches in the city, and it was also natural and inevitable that these branches should have acquired considerable interests there. The municipal and even the national authorities did not hesitate to pay well-earned homage to the activity and enterprising spirit of the Germans of Antwerp; a few years ago one of the most powerful personalities in the business world, Herr von Bary, had organized a banquet in honour of the burgomasters of the principal German towns along the Rhine; Prince Albert, now the King of Belgium, was present on that occasion. Still more recently the anniversary of the foundation of the Norddeutscher-Lloyd was made the occa-

sion of a demonstration in Antwerp which was attended by several members of the present Cabinet.

Besides, it is in order to state that Germans who had settled in Belgium were adapting themselves rapidly to the customs of the country; they did not interpose any obstacle to the spontaneous development of national resources; they even did not hide the satisfaction that they felt at living in Belgium.

It is worth remarking that the hospitable attitude of the Belgians towards the Germans did not seem to diminish in any way the general sympathy for the French; one had not grown at the expense of the other. Belgium, which was already swayed in two directions by the impulses of the two races composing her population, had arrived at a kind of equilibrium of tendencies; perhaps the recent teaching of her historians had led her to this compromise, by showing her the double influence of the past on her national personality; perhaps she was impelled to it by an intuitive sense of the necessity of self-preservation.

But even among those few who had latterly been taking an active part in a movement which was directed to drawing closer the bonds of friendship with France, there existed no real resentment

against Germany; they were concerned for the most part only with the pro-Flemish movement, and the pro-Flemish movement, in spite of appearances to the contrary, was in no way helped by Germans in Belgium.

Such was the state of mind that had gradually grown up among the Belgian population during the course of the last twenty-five years. What had been the attitude of Government policy during this period?

King Leopold II. died at the end of 1909. King Albert succeeded him. It is an open secret that during the latter part of the reign of Leopold II. there was no particular cordiality between the Belgian and the German Courts. The King's colonial policy and various other circumstances had unfavourably affected official circles in Berlin. With the commencement of the new reign there was a change. The personal relations between the royal couple and the Crown Prince were well known; it is common knowledge that the Emperor was very favourably disposed to the marriage of Prince Albert with the Duchess Elizabeth in Bavaria, and that he had a great affection for the young Belgian King. A few months after their accession in June, 1910, the King and Queen

paid a visit to Berlin; toasts inspired by sentiments of sincere mutual regard were exchanged.

The Crown Prince, after having offered to the King and Queen of Belgium a cordial welcome in the name of the Emperor, who was prevented from attending, assured them "of the feelings of sincere respect which the German Government and people entertained for their Majesties"; then he added:

Historical memories bind our people together. Our families are related by blood.

Your Majesty has found in the princely German House a Consort with whom your Majesty offers a brilliant example of happy family life.

Your Majesty must be convinced that everything which contributes to strengthen the friendship of our Houses finds a lively echo in the German heart.

In the name of my father I wish to your Majesty the enjoyment of a long and prosperous reign, by the side of the Queen for the good of gentle Belgium.

King Albert replied by a toast, of which the following are the important passages:

Your Highness's words will find sympathetic echo in Belgium, for the Belgians feel a true friendship for the German people, a friendship which has developed without interruption ever since Belgium obtained her independence.

To our esteem and friendship for the German nation itself there must be added our admiration for the fine spirit which animates the Emperor in the accomplishment of his duties as Sovereign.

The Emperor offers us a noble example of a life dedicated wholly to the well-being of his subjects, to the power of expansion and production of Germany, to its brilliant representation in foreign lands, and to universal peace.

I am convinced that the relations between the two countries and the two ruling Houses will become still closer and more cordial as the result of our visit.

A little time afterwards, in October, 1910, the Emperor and Empress, accompanied by Princess Victoria Louise, came to Brussels to return the visit which the Belgian sovereigns had paid to them. The Emperor did not conceal his pleasure at the welcome given to him by the population of Brussels. At the dinner at the Royal Palace cordial speeches were once more exchanged:

Sire [said the King], the Belgian people will value highly the friendly interest which your Majesty takes in them. They see and they salute in the Emperor a monarch who is as far-sighted as he is enlightened, and who has known so well how to further the brilliant career of his country in every realm of human activity.

They desire no less sincerely than I do that the relations existing between the two reigning houses,

which are those of confident trust, should fortify the friendship between the two nations.

As for me, while I am connected with your Imperial Majesty by blood as well as by affection, as your Majesty was good enough to recall at Potsdam, I know how valuable are the feelings which your Majesty entertains towards the Queen and myself.

The Emperor replied :

The brilliant reception which has been prepared for us by your Majesties and the Belgian people in this splendid capital has touched us deeply, and has awakened sentiments of gratitude which are all the more lively because we see in that welcome a pledge of the close union which exists not only between our families, but also between our peoples. Filled with friendly sympathy I know and I observe, like all Germany, the surprising success of the Belgian people, with their untiring activity in every department of commerce and industry, whose climax we have been able to welcome at the universal exhibition of this year, which was so brilliant and so successful.

. . . May the relations between us of confident trust and of neighbourly friendship, of which the negotiations between our Governments have recently given so friendly an example, bind us still closer together!

This allusion in the Emperor's speech was to the Treaty of August 11, 1910, delimiting the frontier

of the German territory and Belgian Congo in the neighbourhood of Lake Kivu.

It may be noted that sentiments similar to those expressed in these speeches were shown also at the time of the visits exchanged between the King and the President of the French Republic. At Paris, in July, 1910, King Albert, speaking of the two neighbouring peoples said:

The closest relations have never ceased to exist between them, and every day seems to create new ones. Side by side with the commercial intercourse between the countries, whose constant progress is proved by statistics, they enjoy a continual interchange of ideas. Side by side with the trade between the two countries they are bound together by relations of a less material kind.

The literary and artistic influence of France, and her passionate devotion to progress in every branch of human activity, have played a part even more powerful than that of economic interests in drawing our two countries together and a true intellectual commerce draws us to that generous nation whose fertile influence has made itself felt for centuries on the whole of humanity. Our thinkers, our artists, our writers in the French tongue, attached though they be to the characteristics of their race, know well what they owe to France, to the lucidity of her genius, to the perfection of her taste, to that sense of the artistic which adorns everything which she produces.

At Brussels in May, 1911, President Fallières laid stress on the idea to which the King had given expression, and said in his turn:

My visit is not only the fulfilment of a pleasant duty of politeness; it is also the expression of the high value which my country places upon the friendship of yours. France watches with equal interest and admiration the rapid and brilliant career of your young nationality. She has seen its birth and its growth in strength midst the greatest difficulties. In every branch of human activity—industry, commerce, politics, letters, the sciences, and the arts, Belgium has made for herself a high place among the nations; no one greets those successes with greater warmth than ourselves, and we unite with your Majesty in expressing the wish that, through our common desires, both our countries should advance towards an even closer concord of all their economic interests.

Thus Belgium's attitude in official as well as unofficial matters was the same towards both her great neighbours. Belgium's confidence in both was so great that many politicians were of the opinion that the country would never have to fear an invasion. At one session of the commission set up in 1900 to investigate the question of the reorganization of the army, some ministers of state and party leaders of great influence left the room

in which the Commission was held, thinking that it was inopportune to make any change in the existing military arrangements which were then still based on the system of conscription by lot. "Such a change," said one of them, "would be to weaken the force of the treaties which guarantee the inviolability of Belgium, and to throw doubt upon them."

Further, at this very time Germany had shown that she was anxious that Belgian policy should be kept within the strict limits of absolute neutrality. A proposal was set on foot by the burgo-masters of the four great towns of Belgium for the constitution of a body of volunteers intended to defend Belgian interests in China which were then threatened by the Boxer rising. Germany represented energetically that such a step was forbidden to Belgium by reason of her situation as a neutral state. Belgium gave way, in spite of the danger to which her political representatives and her subjects were exposed. She believed, on the other hand, that she had obtained decisive evidence of the determined attitude which her powerful neighbour intended to take up as guarantor of her neutrality.

At a later date this evidence was reinforced with still greater strength. In 1911, during the contro-

versy which was aroused by the announcement of the Dutch plans for the fortification of Flushing, certain papers had announced that in case of a Franco-German war, Belgian neutrality would be violated by Germany. The Belgian Minister for Foreign Affairs suggested that a declaration made in the German Parliament during the debate on foreign policy would have the effect of quieting public opinion and setting at rest the suspicions which were regrettable from the point of view of the relations between the two countries. Herr von Bethmann-Hollweg replied that he highly appreciated the feelings which had inspired the request made by Belgium. He declared that Germany had no intention of violating the neutrality of Belgium, but he thought that if a public declaration to that effect were made, Germany would weaken her military position *vis-à-vis* of France who, reassured on her northern frontier, would transfer all her troops to the eastern side.¹

This reply by the Imperial Chancellor was communicated orally, in accordance with his instructions, to the Belgian Government, which gave way to the objections which the Chancellor had raised on the subject of the public declaration for which they had asked.²

¹ See *Grey Book*, No. 12.

² *Ibid.*

In 1913 still more precise declarations were made during the sitting of the Reichstag Committee on the Budget on April 29th. The *Nord-deutsche Allgemeine Zeitung*, whose semi-official character is well known, reported it in the following terms:¹

A member of the Social Democrat Party said:

"The approach of a war between Germany and France is viewed with apprehension in Belgium, for it is feared that Germany will not respect the neutrality of Belgium."

Herr von Jagow, Secretary of State, replied:

"Belgian neutrality is provided for by International Conventions and Germany is determined to respect those Conventions."

This declaration did not satisfy another member of the Social Democrat Party. Herr von Jagow said that he had nothing to add to the clear statement he had made respecting the relations between Germany and Belgium.

In answer to fresh enquiries by a member of the Social Democrat Party, Herr von Heeringen, the Minister of War, replied: "Belgium plays no part in the causes which justify the proposed reorganization of the German military system. That proposal is based on the situation in the East. Germany will not lose sight of the fact that the neutrality of Belgium is guaranteed by international treaty."

A member of the Progressive Party having once

¹ See *Grey Book*, No. 12.

again spoken of Belgium, Herr von Jagow repeated that this declaration in regard to Belgium was sufficiently clear.

All these declarations summed up and amplified a statement made by the German Minister in Belgium, Baron von Wallwitz, at a banquet at Antwerp in 1905, the year of the seventy-fifth anniversary of Belgian independence. "Respect for Belgian neutrality," he said, "is a political axiom for Germany and it could never be disregarded without incurring the most serious consequences."

In spite of these assurances, the course of European politics made a deep impression on those responsible for the Government of Belgium.

The long drawn-out Morocco crisis made a sensation in the country. At the same time the formation of the two diplomatic groups of Great Powers had brought together France and England who, up to then, had reserved complete liberty of action. There was a growing impression in the chancelleries and military circles of certain capitals that a European war was imminent. To complete her uneasiness, in 1912 Belgium received from a Sovereign who belonged neither to the Triple Entente nor to the Triple Alliance, and whose great wisdom and long experience of

European politics was well-known in diplomatic circles, King Charles of Roumania, the friendly advice to keep a careful watch on the defence of all her frontiers: "The miracle of 1870," he said, "will not be repeated: Belgium runs a great danger of seeing her neutrality violated by one of her three neighbours." At the same time other warnings reached Belgium; plans for a surprise invasion of Belgian territory by German troops were discovered, and the military arrangements made by France on her northern frontier took a definite form.

Moreover, these fears received disturbing confirmation from German military writers. For instance, General von Bernhardi, who was widely read in Germany, published, at the end of 1911, under the title of *Deutschland und der nächste Krieg*, a book which was full of statements which were very alarming for Belgium. I repeat here some of the most characteristic of them:

The conception of permanent neutrality is entirely opposed to the essential nature of the State; the State can only attain her high moral ends by competition with other States.¹

No natural obstacle or powerful barriers there [in Belgium and Holland] stand in the way of

¹ Chapter V., page 120.

hostile invasion, and neutrality is only a paper bulwark. To the south also the Rhine barrier could easily be turned by going through Switzerland, although on this side there are serious geographical natural obstacles.¹

King Albert from the moment of his accession laid stress on the necessity for Belgium to bring her military organization into line with modern progress. On many occasions he chose this as the subject of his public speeches, and he took pleasure in recalling the eloquent appeals which King Leopold II. had himself addressed to the nation, to arouse in it the consciousness of the obligations of patriotism. Speaking to the Grenadier regiment, for example, King Albert said:

It is my earnest hope that the nation should understand more and more with a clear view into the future, the supreme and imperative obligation which the very fact of neutrality lays upon her—a continuous duty of sacrifice on a level comparable to the duty which the army would have to fulfil if, on some future date, international complications, which are always possible, should force Belgium to defend the inviolability of her territory.

At last, in 1913, Parliament passed a measure for a far-reaching reorganization of the army.

¹ Chapter VII., page 169.

Before the public discussion of the question, the Minister for War, Monsieur de Broqueville, was careful to furnish to Parliament the confidential communications which, as stated above, the Government had received. This was done during a secret sitting, and these statements exercised a decisive influence on the vote which was taken.

While these events were proceeding, the political relations between Belgium and her three great neighbours, Germany, Great Britain, and France, developed on lines of very sincere sympathy. King Albert, taking advantage of his passing through Paris on his return from a holiday, stayed there to pay his respects to the President of the Republic in the same spirit of courtesy which in the course of that year also took him to Berne during one of his stays in Switzerland; in fact it was always the King's personal opinion that it is his duty to be acquainted with the highest authorities in the countries in which he frequently travels. At Paris the King received from President Poincaré a formal assurance that France was resolved upon a peaceful policy and had no thought of violating Belgian neutrality.

Great Britain little by little had realized the firm determination of Belgium to carry out the

reforms in the Congo which the new King had solemnly promised on the day of his coronation.

[Finally, in Germany, the King was present in November, 1913, at the anniversary celebrations of the regiment of which he was Honorary-Colonel. He sent his portrait to the regiment and the Emperor in return forwarded his own to the Belgian regiment of Grenadiers. In the course of this stay in Germany the King had been invited to Potsdam where the Emperor talked over with him the general political situation in Europe, and did not hide from him its gravity. He thought that it would become difficult to avoid war with France, who made no response to the conciliatory overtures of the Emperor, and whose press openly showed growing hostility. If it were inevitable that war should come, he added, the triumph of the German armies could not be doubted. This conversation, which made a profound impression on the King, was a proof of the confidence which the Emperor continued to repose in him. This confidence was manifested once again in this very year of 1914. The Emperor had invited the King to be present at the manoeuvres which were to take place in the neighbourhood of Cologne, on the 17th of September, last. At the beginning of July the King informed him that he would attend.

In Belgium there was a growing desire that Belgian policy should observe the strictest neutrality. For example, the leader of the Liberal Party, M. Hymans, has recounted in the *Outlook* (September 30th, page 255) how he had been requested by the members of the majority to recommend to the newspapers of his party reserve and prudence in discussing German affairs.

To be frank, there was a portion of the Belgian public which disliked these evidences of friendship between the Courts of Berlin and Brussels, to which a sensitive patriotism might attach a significance which was certainly not in accordance with the facts. The perfectly correct attitude of the King and Queen furnished an answer to these fanciful rumours, and they are only mentioned here so as to make the picture of public opinion in Belgium exact in every essential.

On July 24, 1914, the Belgian Minister at Vienna forwarded to the Minister for Foreign Affairs at Brussels the text of the ultimatum which Austria-Hungary had just addressed to Servia. This communication took place at the same time as all those sent by the Ambassadors at Vienna to their respective countries.

The sensation which this document caused in all

the Chancelleries is well known. Very naturally a profound impression was produced at Brussels also.

On the same day, July 24th, the Belgian Government sent to its principal Ministers abroad the following letter¹:

The Belgian Government have had under their consideration whether, in present circumstances, it would not be advisable to address to the Powers who guaranteed Belgian independence and neutrality a communication assuring them of Belgium's determination to fulfil the international obligations imposed upon her by treaty in the event of a war breaking out on her frontiers.

The Government have come to conclusion that such a communication would be premature at present, but that events might move rapidly and not leave sufficient time to forward suitable instructions at the desired moment to the Belgian representatives abroad.

In these circumstances I have proposed [wrote the Minister for Foreign Affairs] to the King and to my colleagues in the Cabinet, who have concurred, to give you now exact instructions as to the steps to be taken by you if the prospect of a Franco-German war became more threatening.

I enclose herewith a note, signed but not dated, which you should read to the Minister for Foreign Affairs and of which you should give him a copy, if circumstances render such a communication necessary.

¹ *Grey Book*, No. 27.

I will inform you by telegram when you are to act on these instructions.

This telegram will be despatched when the order is given for the mobilization of the Belgian army if, contrary to our earnest hope and to the apparent prospect of a peaceful settlement, our information leads us to take this extreme measure of precaution.

The terms of this document are perfectly clear; it was a question of guarding against the possibility of being taken by surprise by the developments of the situation. Since the arrangements which Belgium might perhaps be forced to take ought to be measures of defence, it was necessary at any cost that she should be prepared for every contingency.

During the following days diplomatic activity in the Chancelleries became more and more hurried; the British *Blue Book*, for example, gives eighty documents between the 25th and 29th July. The Belgian Government were kept informed by their diplomatic agents of the course of events. In particular, on Monday the 27th, the Government received from the Belgian Minister at Berlin alarming information on the course which the Austro-Servian dispute was taking: "War," says Baron Beyens in his message, "seems inevitable, and we can only expect the worst con-

sequences. Belgium must from now on take thought for all the precautions required by the situation." Next day, a telegram from the Belgian Minister at Vienna announced that Austria-Hungary had declared war on Servia.

At this moment the Belgian Government did not hesitate. On Wednesday, the 29th July, they decided to place the army on a strengthened peace footing—a measure of simple precaution, as they hastened to explain to the Belgian Ministers abroad, in the following letter¹:

The Belgian Government have decided to place the army upon a strengthened peace footing.

This step should in no way be confused with mobilization.

Owing to the small extent of her territory, all Belgium is, in some degree, a frontier zone. Her army on the ordinary peace footing consists of only one class of armed militia; on the strengthened peace footing, owing to the recall of three classes, her army divisions and her cavalry division comprise effective units of the same strength as those of the corps permanently maintained in the frontier zones of the neighbouring Powers.

This information will enable you to reply to any questions which may be addressed to you.

Up to this moment nothing extraordinary had happened in Belgium. But on the 31st July

¹ *Grey Book*, No. 8.

the Minister for Foreign Affairs, had two interviews of the greatest importance.

The French Minister called to show him a telegram from the *Agence Havas* announcing that *Kriegsgefahr* (a state of danger of war) had been proclaimed in Germany, a step which involved certain measures of precaution caused by a state of tension in the relations of Germany with another country. The French Minister at Brussels on this occasion made the following declaration¹:

I seize this opportunity to declare that no incursion of French troops into Belgium will take place, even if considerable forces are massed upon the frontiers of your country. France does not wish to incur the responsibility, as far as Belgium is concerned, of taking the first hostile act. Instructions in this sense will be given to the French authorities.

The Belgian Minister replied:

We had always had the greatest confidence in the loyal observance by both our neighbouring States of their engagements towards us. We have also every reason to believe that the attitude of the German Government will be the same as that of the Government of the French Republic.

¹ *Grey Book*, No. 9.

The second call made on July 31st was that of the British Minister.¹

He was directed to inform the Belgian Minister that England expected that Belgium would do her utmost to maintain her neutrality; an early reply was expected. The Minister also announced that England had just asked Germany and France separately if they were each of them ready to respect Belgian neutrality so long as no other Power violated it. England desired and expected that the Powers would maintain and observe that neutrality.

The Belgian Minister replied to this communication in terms similar to those of his reply to the French Minister, and he added that the Belgian military forces, which had been considerably developed in consequence of the recent reorganization, were sufficient to enable the country to defend herself energetically in the event of violation of her territory.²

Lastly, on the same day, Friday, July 31st, the Belgian railway authorities were informed by the German railway administration that trains could no longer cross the German frontier.

Thus the situation suddenly assumed a character of exceptional gravity. On the same day

¹ *Grey Book*, No. 11.

² *Ibid.*

July 31st, the Government ordered the mobilization of the army, and the Minister for Foreign Affairs informed all the Belgian Legations abroad of this position by telegram¹:

The Minister of War informs me that mobilization has been ordered, and that Saturday, August 1st, will be the first day.

Next day, Saturday, August 1st, the first day of mobilization, in accordance with the instructions which he had despatched on July 24th by telegram, the Foreign Minister directed Ministers abroad to carry out the provisional instructions which he had already given them. These instructions were as follows²:

The international situation is serious, and the possibility of a war between several Powers naturally preoccupies the Belgian Government.

Belgium has most scrupulously observed the duties of a neutral State imposed upon her by the treaties of April 19, 1839; and those duties she will strive unflinchingly to fulfil, whatever the circumstances may be.

The friendly feelings of the Powers towards her have been so often reaffirmed that Belgium confidently expects that her territory will remain free from attack, should hostilities break out upon her frontiers.

All necessary steps to ensure respect of Belgian

¹ *Grey Book*, No. 10.

² *Ibid.*, No. 2 Annex.

neutrality have nevertheless been taken by the Government. The Belgian army has been mobilized and is taking up such strategic positions as have been chosen to secure the defence of the country and the respect of its neutrality. The forts of Antwerp and on the Meuse have been put in a state of defence.

It is scarcely necessary to dwell upon the nature of these measures. They are intended solely to enable Belgium to fulfil her international obligations; and it is obvious that they neither have been nor can have been undertaken with any intention of taking part in an armed struggle between the Powers or from any feeling of distrust of any of those Powers.

At the same time the King, anxious that all the guarantees upon which the country had a right to depend should be fulfilled, and relying on the warmth of his personal relations with the German Emperor, wrote to the latter a personal letter, reminding him of the right which Belgium possessed to inviolability.

The Belgian Government, who as I have just stated, had been informed on the previous evening of the enquiry addressed by England to Germany and France, awaited the reply to it with complete confidence. In the course of the day the Minister for Foreign Affairs received a telegram from the Belgian Legation in London:

Germany's reply is awaited; France has replied in the affirmative.¹

On the same day, August 1st, the French Minister at Brussels called on the Minister for Foreign Affairs and made to him the following oral communication:

I am authorized to declare that in the event of an international war, the French Government, in accordance with the declarations they have always made, will respect the neutrality of Belgium. In the event of this neutrality not being respected by another Power, the French Government to secure their own defence might find it necessary to modify their attitude.²

Having regard to the importance of this formal declaration, the Minister for Foreign Affairs communicated it not only to the Belgian Ministers in the principal capitals, but also to the German Minister at Brussels, and the latter, meeting the Minister for Foreign Affairs on the same day, thanked him for his courtesy, adding that up to the present he had not been directed to make any official communication, but that his personal opinion as to the feelings of security which Belgium had the right to entertain towards her eastern neighbours was well known.³ To this the Belgian Foreign Minister replied immediately:

¹ *Grey Book*, No. 13. ² *Ibid.*, No. 15. ³ *Ibid.*, No. 19.

All that we know of the intentions of our eastern neighbour, as indicated in numerous previous conversations, does not allow us to doubt their perfect correctness towards Belgium, but we should attach the greatest importance to the possession of a formal declaration which the Belgian nation would hear with joy and gratitude.¹

During the course of these interviews at Brussels, which maintained a very friendly tenor, a telegram from the Belgian Minister at Berlin announced that

The Imperial Minister for Foreign Affairs replied that he was unable to answer the question asked by England.²

Next day, Sunday, August 2d, the German Minister called on the Director of the Political Department at the Ministry for Foreign Affairs early in the afternoon and discussed with him in a friendly way the question of Germans living in Belgium who had been recalled to their own country by mobilization. The point in question was that of facilitating their return by railways which were already congested by Belgian mobilization. With great consideration the Director undertook to authorize the Germans who had been recalled to travel in any train, even if the effect of

¹ *Grey Book*, No. 19.

² *Ibid.*, No. 14.

their doing so was to exceed the number allowed to travel in the carriages. "Understand," added the Director, "that what we are doing for Germany we shall also do for France. We make a point of respecting the susceptibilities of all parties." "I quite understand that," replied the German Minister, "but you know well that so far as we are concerned you can have perfect confidence."

The departure of the young Germans took place in the best conditions and with no manifestations of hostility at all on the part of the public. The *Kölnische Zeitung* of August 3d (No. 881) even stated that on the Northern Railway Station of Brussels the departing trains were saluted by vigorous cheers from the German families in the town, and another correspondent writes to the same paper that Belgian women and young girls mingled with these German families (No. 888, August 6th). This correspondent adds also that Belgians who have been called to the colours by mobilization are in high spirits, because they look forward to going to the Frontier to perform only the easy work of surveillance imposed by the neutrality of the country.

On the same day, Sunday, August 2d, the German Minister interviewed by the paper *Le Soir* guaranteed the friendly feelings of Germany

towards Belgium and summed up his view in this phrase: "Perhaps your neighbour's house will burn, but your house will remain safe."

On the same day Captain Bringmann, German Military Attaché at Brussels, made a very courteous request to the paper called *Le XXme Siècle* to deny categorically that Germany had declared war on France or even on Russia:

"The news is false," said the Captain on the telephone. "It has been spread by the enemies of Germany. You will oblige me if you contradict it without delay in large type under a heavy head line in exactly the same way as you announced it." "But, Captain," replied the editor, "your troops to-night have invaded and occupied the Grand Duchy of Luxembourg." "Impossible! Wait a moment; I will go and find out." After a silence of a few minutes the Military Attaché returned on the telephone: "What did I tell you? It is absolute nonsense. Our troops have not occupied the Grand Duchy. Perhaps a detachment has by some mistake crossed the Grand Ducal frontier. There is nothing to frighten the Belgians; besides, the relations of the two countries to Germany are quite different. No doubt you know that the Grand Ducal railways are German and consequently we have to take precautions.

But do not let this disturb you. In any case Germany has not declared war on any one; you can say so, it is the absolute truth." "Can we give the source of our information? Can we say, for example, in contradicting both stories, that it is the German Military Attaché who asks us to do so?" "Certainly."

Consequently, on Sunday, August 2d, two Belgian papers, *Le Soir* and *Le XXme Siècle*, relying on categorical statements, reassured the public of Brussels.

A few hours afterwards, on that same Sunday, August 2d, the German Minister asked the Minister for Foreign Affairs to grant him an interview at seven in the evening in order that he might make an important communication to him. Everyone expected that this communication can be only a formal renewal of the statement of Germany's intention to respect the frontier of Belgium in the coming war, as France had already promised to do.

While the interview was going on, the King's Secretary, in a conversation with a new Minister of State, was congratulating himself that the situation was clearing up.

Everywhere a feeling of optimism prevailed.

II

To Be or Not To Be

II

TO BE OR NOT TO BE

THE audience asked for on Sunday, August 2d, at 7 o'clock in the evening by the German Minister at Brussels had for its object to hand to His Majesty's Government the following note, to reply to which they were given twelve hours. The note was drawn up in German but on it were written—a point which it is useful to mention here—the words, "Very Confidential."

Reliable information has been received by the German Government to the effect that French forces intend to march on the line of the Meuse by Givet and Namur. This information leaves no doubt as to the intention of France to march through Belgian territory against Germany.

The German Government cannot but fear that Belgium, in spite of the utmost goodwill, will be unable, without assistance, to repel so considerable a French invasion with sufficient prospect of success to afford an adequate guarantee against danger to Germany. It is essential for the self-defence of Germany that she should anticipate any such hostile attack. The German Government would,

however, feel the deepest regret if Belgium regarded as an act of hostility against herself the fact that the measures of Germany's opponents force Germany, for her own protection, to enter Belgian territory.

In order to exclude any possibility of misunderstanding, the German Government make the following declaration:

1. Germany has in view no act of hostility against Belgium. In the event of Belgium being prepared in the coming war to maintain an attitude of friendly neutrality towards Germany, the German Government bind themselves, at the conclusion of peace, to guarantee the possessions and independence of the Belgian Kingdom in full.

2. Germany undertakes, under the above-mentioned condition, to evacuate Belgian territory on the conclusion of peace.

3. If Belgium adopts a friendly attitude, Germany is prepared, in co-operation with the Belgian authorities, to purchase all necessaries for her troops against a cash payment, and to pay an indemnity for any damage that may have been caused by German troops.

4. Should Belgium oppose the German troops, and in particular should she throw difficulties in the way of their march by a resistance of the fortresses on the Meuse, or by destroying railways, roads, tunnels, or other similar works, Germany will, to her regret, be compelled to consider Belgium as an enemy.

In this event, Germany can undertake no obligations towards Belgium, but the eventual adjustment of the relations between the two States must be left to the decision of arms.

The German Government, however, entertain the distinct hope that this eventuality will not occur, and that the Belgian Government will know how to take the necessary measures to prevent the occurrence of incidents such as those mentioned. In this case the friendly ties which bind the two neighbouring States will grow stronger and more enduring.

It is essential to dwell at some length on this document and to analyse separately its different parts.

Germany was asking Belgium to open her frontier to German armies.

Assuming that Belgium had the desire or considered that it was to her interest to accede to this demand, was it in her power to do so?

As a State, Belgium is a diplomatic creation. After the Revolution of 1830 had violently separated the southern provinces of the Kingdom of the Netherlands which was established in 1815, the five great Powers—England, Austria, France, Russia, and Prussia—met in conference at London to elaborate the international statute of the new State. It was created "Perpetually Neutral" by the Treaty of 1839 (Article 7).

Perpetual Neutrality, or to use a more exact expression, Permanent Neutrality, is a curious notion of international law. It has been elaborated entirely for the purpose of meeting certain

political necessities. It must not be confounded with Occasional Neutrality which consists in abstention from siding with any of the belligerents during the course of a particular war. To say that a State is protected by Permanent Neutrality is to say that it is excluded from any war whatsoever.

Permanent Neutrality tends essentially, as has been said, to safeguard small States against the encroachment of powerful neighbours in such a way as to maintain equilibrium between the great countries.

With a view to this object, Permanent Neutrality binds by reciprocal obligations the neutralized State and the States which have sanctioned its neutrality.

I emphasize this point since it is decisive.

A State does not neutralize itself; it is neutralized by others. The basis of the neutralization of a State is an agreement, a consensus or a convention between several States. These States enter as between themselves and as regards the neutralized State into engagements which will guarantee the latter the privileged condition of enjoying a permanent peace; in return the neutralized State accepts, with regard to the others, obligations which will ensure the realization of

that equilibrium of interests which they judge it opportune to establish. This is exactly what took place after the Belgian Revolution of 1830. In order that, as in 1814, "the Belgian provinces might contribute to the establishment of an equitable equilibrium in Europe," the five Powers agreed to "secure, by means of a new combination, that European tranquillity of which the union of Belgium with Holland had constituted one of the bases." The international constitution of Belgium was defined in 1839 in a Treaty between Belgium and the Netherlands, and the articles of the Treaty were placed under the guarantee of the five Powers in a Treaty concluded the same day between those Powers and the Netherlands, as well as in a Treaty concluded also the same day between the Powers and Belgium.

The practical result of the system of reciprocal obligations which I have defined is that it induces each of the States which confer the neutrality to respect this neutrality in the State which accepts it, that is to say, not to declare war against that State or provoke it to abandon the condition of peace, and, moreover, to defend it against any State which, whether or no it was a party to the primary convention, should cause it to abandon its neutrality. In a word one may say that each of the

States which creates a neutralized State becomes its guarantor. The said guarantee necessarily extends at the same time to the inviolability of the territory, for the violation of the territory is the most summary means by which the neutrality which protects it may be effectively destroyed.

In return the neutralized State is bound itself to defend its neutrality when threatened, and to take all the steps which may be necessary for such defence. This is indeed its solemn duty, for if it allowed itself to be induced by a State to adopt towards its guarantors such an attitude as might cause them prejudice it would tend thereby to destroy the equilibrium of interest which is the basis of the convention by which it has bound itself.

This obligation is so inherent in the very notion of neutrality that a State which has acted on the defensive is not considered in international law as having committed an act of hostility against the State which violated its neutrality. In fact, Article X. of The Hague Convention of October 18, 1907, concerning the rights and duties of neutral Powers and persons in general declares as follows:

The fact of a neutral power resisting, even by force, attempts to violate its neutrality, cannot be regarded as a hostile act.

The neutralized State could not avoid the obligation of defending its neutrality unless at the time when the neutrality had been conferred upon it it had been forbidden to keep an army or to construct fortifications. Such is the case with the Grand Duchy of Luxembourg.

In particular, the neutralized State must prevent the troops of belligerent States from passing through its territory. This results from the very nature of its obligations. There is no wavering in regard to this in the interpretations given by contemporary jurists, and we must admit that their opinion alone has any weight. In a science which like International Law develops under the pressure of historical facts, it is out of place to invoke, as the *Kölnische Zeitung* has done (No. 1180, October 18th), Hugo Grotius, who has held the distinction of a founder, but would never have aspired to that of a perpetual authority.

Rivier² says, for example:

During war a passage across its territory could not be granted by a neutral State to the soldiers of one of the belligerents, neither to individual soldiers nor to bodies of troops. Formerly, the passage was claimed as a right; later neutrals were allowed to grant it provided that they granted it

² *Principes du droit des gens*, vol. ii., p. 399.

to both parties; subsequently this power was restricted to the case where the passage could be claimed in virtue of a treaty or servitude. The right principle is that of absolute refusal to both parties in all cases. It is the only solution which is in conformity with impartiality. Moreover the neutral State must actually prevent the passage.

Similarly Geffcken¹ writes:

The first duty of a neutral Government is to watch over the inviolability of its territory and, consequently, not to allow one of the belligerents to make use of it as a base of operations for hostilities against the other party. Formerly, it is true, it was admitted that neutrality had been respected when the Government itself did not give any active assistance to anyone of the belligerents but permitted both parties without distinction to do certain things. Experience has shown that it is impossible to observe in this case a true impartiality. The situation of a neutral country will in itself be more favourable to one of the parties than to the other.

Belgium [Geffcken says further] has not hesitated to make great efforts and has been put to considerable expense with a view to the defence of the inviolability of her territory, and Switzerland in 1871 prepared to fulfil her obligations as a neutral State at the time when Bourbaki's army entered the country.

¹ *Die Neutralität in Handbuch des Völkerrechts*, Holtzendorff, vol. iv., p. 139.

The question of the passage of belligerent armies has moreover been formally decided by The Hague Convention to which I have just alluded. Article V. declares in fact that a neutral Power cannot allow troops or even the convoys of belligerents to pass through its territory, and it is manifest that this prohibition applies as well to permanent as to occasional neutrality.

It is not necessary to add that only an independent State can be a neutralized State—independent not only in form but in fact. As soon as a State places itself or allows itself to be placed under the protection of another; as soon as it accepts or does not refuse systematic interference resulting from foreign authority or influence, in whatever domain it may be manifested, it ceases to contain the essential elements of neutrality, for it thereby destroys in one way or another the equilibrium of the interest which the primary convention had for its object to guarantee.

It would be inexact to say that the juridical tenor of Permanent Neutrality is to-day precisely defined; the notion is, as we have seen, a recent one. There have been but few applications of it, and one can only quote Switzerland as a country of which the international situation is really capable of comparison with that of Belgium.

Yet the permanent neutrality of Switzerland has historical foundations resting on the free will of the nation, whereas the permanent neutrality of Belgium has been imposed upon her. It was by the Treaty of Paris of November 20, 1815, that six Powers formally recognized the neutrality of Switzerland, and it is not without interest to recall here the fact that they justified their decision by declaring that "the independence of Switzerland from all foreign influence was in conformity with the true interest of European politics."

The theoretical considerations which precede have not led us away from our object. They bring us there in direct line, for they trace the attitude, the only attitude, which Belgium as a State, that is to say on the ground of international law, could adopt in face of the German Note.

Belgium could not open her frontier to the German armies because she had entered into a formal obligation with regard to England, Austria-Hungary, France, and Russia, Powers which were co-contractors with Prussia, not to abandon the neutrality that she had by convention accepted in 1839. To grant a passage to the German armies was clearly to show favour to one of the belliger-

ents, namely Germany, to the detriment of the other, namely France, both of whom moreover were parties to the convention.

Again, Germany could not have really expected that Belgium would accept her demand, for the very day on which her armies were crossing the Belgian frontier, namely on the 4th of August, she received from Switzerland—the only nation, as we have seen, whose international situation could be compared with that of Belgium—a notification that she would remain neutral during the war. What did Germany reply?

The Government has had the honour to receive the circular note addressed on the 4th of August of this year to the signatory Powers of the Treaty of 1815 in which the Federal Council declares that in the course of the present war the Swiss Confederation will maintain and defend by all the means at her disposal her neutrality and the inviolability of her territory. The Imperial Government has taken cognizance of this declaration with sincere satisfaction and is convinced that the Confederation, with the support of its strong army and the indomitable will of the entire Swiss people, will repel every attempt to violate its neutrality.

Thus Germany counted upon Switzerland doing exactly that which she was asking Belgium not to do!

Certain publicists whose insidious reasoning has been supported with remarkable lucidity by my colleague, the Swedish professor G. F. Steffen, allege that if in fact Belgium opposed the German armies with a resistance which "cost her her annihilation" she did not do so in order to defend her neutrality but for the reason that the Belgian people are germanophobe and are convinced that their future lies in a close friendship with France and England.¹

I trust that I have shown in the earlier pages of this short study how little such a judgment is in conformity with the real state of affairs before the war, both as regards the public opinion of the country and also as far as the ruling classes are concerned. It betrays that strange need to find some other explanation of acts than the simple "heroism of righteousness" to adopt the expression of Paul Bourget in his stirring article on "King Albert the Honest Man."

But the thesis defended by Steffen has also a deeper meaning. It purports to place a sort of barrier before the defence of neutrality beyond which it would be sheer nonsense to think of continuing it. It implies that when, in order to

¹ See *Le Suicide de la Belgique*, by G. F. Steffen, as reproduced in *L'Indépendance Roumaine*, October 31, 1913.

resist the violation of its neutrality, the State would have to go the length of accepting an alliance to the death with the enemies of the guilty Power, it ought to consider whether it would not be more in its interests to remain passive. By this reasoning Belgium ought to have accepted the "way of escape offered by Germany's demands," and she would have been perfectly justified in so doing. It is only necessary to sketch the broad outlines of this thesis in order to perceive the sophism on which it is constructed. It is not the part of a neutralized State itself to define the extent of the obligations by which it is bound by reason of its neutrality. They are at the same time the source and the safeguard of the obligations which the other contracting Powers, by which I mean the guaranteeing Powers, have assumed. An engagement to remain neutral is in no way unilateral; it remains for all time that which it was at the beginning, the expression of an equilibrium of interests acting and reacting on one another. Permanent neutrality is by definition a complete notion; none of those who accept its obligations or its advantages has the power of impairing or mutilating it.

To return to the case of Belgium. It must be added that even if she did not offer any opposi-

tion to the passage of the German armies she would see her territory invaded by other armies, not only those of the countries at war with Germany but also those of the countries which guaranteed her neutrality. In fact the doctrine teaches, though one sometimes forgets it in the controversies to which the notion of neutrality gives rise, that in cases of violation the intervention of the guaranteeing States must take place *ex officio* and even in spite of the opposition of the neutral State; for as Despagnet very truly says, "neutrality is a right acquired by the guaranteeing States."¹

Bluntschli in particular is very definite when speaking expressly of Belgium.

The European Powers [he writes] in guaranteeing in the interest of European peace the neutrality of Belgium have clearly acquired the right of intervening as against any Power threatening the neutrality or the independence of that country, even when intervention is not claimed by the party interested.²

. . . The States which have guaranteed the neutrality of Belgium and did not defend her against an aggressor would not be holding to their engage-

¹ Despagnet et de Boeck, *Droit international public*, p. 185; see in the same sense, for example, Descamps, "*La Neutralité de la Belgique*," p. 550; Hagerup, "*La Neutralité Permanente*," *Revue générale de droit international public*, 1905, p. 601.

² Bluntschli, *Droit international codifié*, livre vi., No. 432.

ments, and would be rendering themselves guilty of a violation of the law.¹

It was the duty, therefore of England, France, and Russia, even without the consent of Belgium, spontaneously to defend their interests which had been injured by the violation of the Convention concluded in common with Germany; and, consequently, England and France at least would have sent their troops across Belgium to meet the German troops. In any case then, war must have broken out on her territory.

But the consideration of such a contingency could only be of a secondary character: in the society of States as in that of individuals he who has any regard for the esteem of others determines his actions by faithfulness to the engagements which he has undertaken.

That this path of honour and probity is rarely the shortest, but that it is always the surest and becomes in time the most profitable, has been already admirably demonstrated by Tocqueville in his study of the relations between morality and politics.

The German Press has not failed to represent that the Belgians made a great mistake in resisting the advance of the German troops.

¹ Bluntschli, *Droit international codifié*, livre vi., No. 440.

See [they say] the example of the Grand Duchy of Luxembourg where prosperity and tranquillity have not ceased to reign.¹

It is not, however, difficult to show that at a time when the relations between nations are governed by factors of an economic order a State which has lost the confidence of certain others immediately experiences the very practical effects of this circumstance. Whether she is attempting to appeal to public credit and contract a loan, whether she is endeavouring to carry on negotiations regarding customs duties or transport tariffs, or conditions of labour in the interest of national trade; whether she is seeking to gain for her business men due participation in the allotment of contracts for work to be done or goods to be furnished, at every turn, her reputation like that of a bankrupt in private life will go before her and she will bear the burden of her disloyalty. She will have no other recourse than to seek for aid and protection from the State whose designs she has furthered, and from that moment she will have subjected every most vital interest of all her citizens to foreign interests. The penalty which they will suffer may be less tragic than that inflicted by

¹ *German Communiqué*, published on the 30th October.

the war but it will be none the less severe and irreparable.

Thus, from a general point of view, everything bade Belgium not to accede to the demand of Germany,—regard for her honour no less than regard for the facts of the situation.

This resolute and deliberate attitude of resistance which it was Belgium's duty to adopt was dictated no less by the special points of view raised by the German Note.

The actual terms as well as the general purport of this Note suggested a bargain to Belgium. Any one who is prepared to examine it in this light will find it instructive.

The points of the proposal are somewhat confused. The general term of the document gives clear evidence of a certain enhancement in the presentation of the ideas. But however that may be, it is not difficult, as we shall see, to set out the proposed bargain, leaving on one side circumstances of secondary importance.

In exchange for an attitude which must not be merely passive or indifferent but benevolent, friendly (*wohlwollend, freundschaftlich*), Germany engages to guarantee "in full" (*in vollem Umfang*) the integrity (*Besitzstand*) and the independence

(*Unabhängigkeit*) of Belgium. Further she will indemnify her for any damage caused by the German troops.

On the other hand, if by any means whatever Belgium places obstacles in the way of the advance of the German troops the very existence of Belgium as a State will be compromised, and Germany, henceforth freed from every engagement, will allow the decision of arms to determine the relations between the two countries.

Let us consider the first contingency.

Belgium gives way. The German armies cross her frontiers without meeting with resistance. But France, who is menaced by the invasion, will, to meet an undoubted strategic necessity, send armies into Belgium; while England, bound, as I have shown as a joint contractor to defend a violated neutrality, will disembark troops to oppose the German armies. And that will not be merely a passage of soldiers through a forbidden territory, it will be the outbreak of war on a territory foreign to the belligerents. Germany promises that directly there is peace (*beim Friedensschluss*) she will guarantee the integrity and independence of the Kingdom. Will she be able to do so?

Even if she is victorious, who can foresee the

issue of the conflict of interests and influences which will determine the conditions of peace? Who can guarantee that Germany, whether she has unlimited or limited power to dictate her conditions, will resist covetousness and intrigue at a time when Belgium, abandoned by those whom she will have betrayed in failing to keep her contractual obligations, will no longer have at her side to defend her right to existence any other than the nation to whose overtures she submitted?

Again, what meaning will independence have for a country who owes it to the omnipotence of a single State? By what restrictions will such independence be limited? What economic vassalage will it disguise? It will certainly be the reverse of that neutrality which is the *raison d'être* of Belgium and which, as we have seen, is only compatible with the full autonomy of the country which it safeguards.

And—for after all, when war breaks out, nobody can foresee the issue—what if Germany should not be victorious? What weight as against the claims of the conqueror will attach to the independence of a small country which, for fear of the horrors of war or through interested calculations or in deference to a powerful neighbour, became a willing party to the forfeiture of that

independence? What penalty in the form of restrictions on her liberty will she not have to pay for having consented to the surrender of her national conscience?

Germany further promises that she will indemnify Belgium for all or any damage caused by the German troops. But from the moment that the war has, by the act of Germany, been carried into Belgian territory, is it to be supposed that the German troops alone will cause damage there? It is even possible that the most serious and most irreparable devastations will be caused by other armies. Germany does not, of course, enter into any engagement with regard to these damages.

Such was the bargain.

Not for one moment was there in Belgium any hesitation on the part of those who direct the policy of the country or on the part of the people, and nobody imagined that it would be possible to adopt the attitude of the money dealers of the temple. But even looking at the matter from a basely mercantile point of view, it would be difficult to discern the advantage that Germany was offering Belgium with a view to her seduction. It is manifest that the promises of Germany were wholly out of proportion to the perils to which she

exposed Belgium, so that if the latter gave way, she would be accepting, at the same time, the certainty of being dishonoured and the risk of being duped.

The German Note contained something else besides the conditions of the bargain proposed to Belgium. It attempted a justification of them.

This justification appears to be summed up in two words, "*auch seinerseits*," with which Germany expresses her regret to be obliged also to violate the Belgian frontier. It is as though she would say that she finds herself in the position of a guaranteeing Power intervening *ex officio*—a Power which, as I have explained above, draws the sword at the moment that another Power violates the common engagement.

But it is precisely on this ground that her justification fails.

What, in fact, does Germany allege? She could adduce no evidence that the Belgian frontier would have been crossed by French troops; on the day before the German Government already had knowledge of the declaration by which the French Government formally promised to respect Belgian territory. They had knowledge of this declaration from two sources at least: from the

communication made to their minister at Brussels¹ and from the conversation which the Secretary of State for Foreign Affairs at London had had with the German Ambassador.²

Hence, not being able to pretend that Belgian neutrality had been violated by another Power, Germany contents herself with apprehensions that it might be so violated:

French forces intend to march on the line of the Meuse by Givet and Namur; . . . this information leaves no doubt as to the intention of France to march through Belgian territory against Germany. . . . The German Government cannot but fear that Belgium, in spite of the utmost goodwill, will be unable without assistance to repel so considerable a French invasion.³

All these apprehensions and all these presumptions rest on no controllable data. Germany knew it herself. Therefore from this moment she was on the lookout for any circumstances which it would be possible to cite with a view to her exculpation. Hence, no doubt, the strange step taken by the German Minister at Brussels in the middle of the night only a few hours after the Very Confidential Note had been handed in. I borrow the account of it from the diplomatic correspondence of Belgium.⁴

¹ *Grey Book*, No. 19.

² *Blue Book*, No. 123.

³ See p. 39.

⁴ *Grey Book*, No. 21.

At 1.30 A.M., the German Minister asked to see Baron van der Elst. He told him that he had been instructed by his Government to inform the Belgian Government that French dirigibles had thrown bombs and that a French cavalry patrol had crossed the frontier in violation of international law, seeing that war had not been declared.

The Secretary-General asked M. de Below where these incidents had happened and was told that it was in Germany. Baron van der Elst then observed that in that case he could not understand the object of this communication. Herr von Below stated that these acts, which were contrary to international law, were calculated to lead to the supposition that other acts contrary to international law would be committed by France.

To what does all that amount except to uncertain assertions in support of hypotheses, of which the object was to justify certain presumptions?

Be that as it may, let us spare the trouble of considering to what extent the information which Germany invokes was worthy of belief, or of asking ourselves whether it did not require under such grave circumstances some further form of verification. Let us resist even the temptation of comparing the German assertion with the events which took place after the outbreak of hostilities and which have shown that, far from operations being carried on to the south of Belgium, the concentration of the French forces took place in

front of Alsace-Lorraine. Let us examine only the assertion that France was preparing to violate Belgian territory.

Not only does Germany assert this, but she adds that Belgium, if abandoned to herself "*ohne Hilfe*," will without doubt be powerless to prevent a movement carried out in the execution of so vast a plan from becoming a menace to Germany. One would therefore suppose that Germany was about to give a friendly warning to Belgium of the danger. She would ask if Belgium were prepared to offer resistance to the passage of the French armies and make it known that, if the contingency feared were really to come about, she would assist Belgium to repel the aggressor. By so doing, not only would Germany defend her immediate interests, but she would be carrying out the obligations by which Prussia is bound in consequence of the Treaties of 1839, and she would safeguard the rights of her co-contractors.

That would be in conformity on every point with international law and with the procedure imposed by that law in case of the violation of a neutrality convention.

This was the correct step, and every consideration demanded that it should be taken; self-respect, faithfulness to obligations, and, above all, the

friendly ties which bind the two neighbouring States, to which the Note itself cannot help alluding (*die freundschaftlichen Bände, die beide Nachbarstaaten verbinden*). This step Germany did not take.

She declares—while giving to her communication a “very confidential” character, which would singularly facilitate a discreet complicity—that she intends to “prevent” the advance of the French armies and that she will cross Belgian territory for the purpose of meeting them, not in virtue of the rights which she might have acquired by the Treaties of 1839—she does not mention a word about these Treaties—but solely with a view to assuring her own safety which she considers to be menaced.

What a strange conclusion to this preamble of justification! How much more simple and more frank it would have been to say to Belgium: “We are going to cross your territory because it suits us so to do; neither honour nor right can stop us.”

Moreover that is exactly what two days afterwards, on Tuesday, August 4th, the Secretary of State for Foreign Affairs of the German Empire, Herr von Jagow, declared to the Belgian Minister at Berlin, Baron Beyens, at the very beginning of

the conversation in which things were said which dominate the whole course of subsequent events. Baron Beyens has been good enough to give me an account of this conversation, the animated tone of which I will endeavour to reproduce.

Early on Tuesday morning, the 4th of August, the Belgian Minister had requested by telephone that he might be received by the Secretary of State. The audience was immediately granted.

The Belgian Minister had only uttered a few words before Herr von Jagow exclaimed:

"Believe me that it is with acute grief that Germany decides to violate the neutrality of Belgium, and personally I feel the most profound regret on that account. But there is no help for it. It is a question of the life or death of the Empire. If the German armies do not wish to be caught between the hammer and the anvil they must strike a severe blow in the direction of France, in order that they may afterwards turn their arms against Russia."

"But," said Baron Beyens, "the French frontiers are sufficiently extended to enable one to avoid passing through Belgium."

"They are too strongly fortified. Moreover, what is it we are asking of you? Simply to allow us a free passage without destroying your railways

or your tunnels and to allow us to occupy the fortified places of which we have need."

"There is," replied the Belgian Minister at once, "a very easy way of formulating the only reply of which such a question admits, and that is to imagine that France had addressed to us the same invitation and that we had accepted it. Would not Germany have said that we had betrayed her in a cowardly manner?"

As the Secretary of State gave no reply to this very direct question, Baron Beyens continued. "At least," he asked, "have you anything with which to reproach us? Have we not always, for three-quarters of a century, fulfilled, with regard to Germany as with regard to all the Great Guaranteeing Powers, all the duties of our neutrality? Have we not given Germany tokens of loyal friendship? How does Germany propose to pay us for that? By making Belgium a European battle-field. And we know what devastations and calamities modern war brings in its train. . . ."

"Germany has nothing with which to reproach Belgium, and the attitude of Belgium has always been perfectly correct."

"You must recognize then," replied Baron Beyens, "that Belgium cannot give you any other reply than that which she has now given you

without losing her honour. It is with nations as with individuals: there are not different codes of honour for peoples and for private persons. You must recognize," insisted Baron Beyens, "that the reply was bound to be what it is."

"As a private person I do recognize it, but as Secretary of State I have no opinion to express."

There was no more to be said on either side. However, the Belgian Minister added that in his opinion Germany was deceiving herself. She was provoking a war with England, and further, the German troops would not pass by Liège as easily perhaps as she imagined. When the Minister intimated that he would no doubt ask for his passports, Herr von Jagow protested, saying: "Do not go yet. Perhaps we shall still have reason to talk." "What is going to happen," said Baron Beyens finally, "depends on neither of us. Henceforth the decision rests with the Belgian Government."

Every word uttered during this important exchange of ideas is of equal weight. I desire, however, to dwell for a moment on the explanation given as to the passage of German armies through Belgium. It happened that the Secretary of State had an opportunity of repeating this ex-

planation in the conversation which he had the same day with the British Ambassador.

If Germany [he then said] is obliged to take this step, it is because she had to advance into France by the quickest and easiest way so as to be able to get well ahead with the operations and endeavour to strike some decisive blow as early as possible. It was a matter of life and death for them, as if they had gone by the more sudden route they could not have hoped, in view of the paucity of roads and the strength of the fortresses, to have got through without formidable opposition entailing great loss of time. This loss of time would have meant time gained by the Russians for bringing up their troops to the German frontier. Rapidity of action was the great German asset, while that of Russia was an inexhaustible supply of troops.¹

In the course of a second interview with the same Ambassador a few hours later, the Secretary of State thus summarized his arguments:

The safety of the Empire rendered it absolutely necessary that the Imperial troops should advance through Belgium.²

The Chancellor himself was still more categorical again the same day at the sitting of the Reichstag:

Our troops have occupied Luxembourg and have

¹ *Blue Book*, No. 160.

² *Ibid.*

perhaps already entered Belgian territory. That is a breach of International Law. . . . Thus we were forced to ignore the rightful protests of the Governments of Luxembourg and Belgium. The wrong—I speak openly—the wrong we thereby commit we will try to make good as soon as our military aims have been attained.

He who is menaced as we are and is fighting for his highest possession, can only consider how he is to hack his way through. . . . We are in a state of necessity and necessity knows no law. *Not kennt kein Gebot!*

The Chancellor thought that he could thus justify injustice by invoking the excuse of necessity; that is to say, *force majeure* or legitimate defence. Let us examine for a moment this method of reasoning.

With regard to the saying "*Not kennt kein Gebot!*" one might point out how unreal was the peril with which Germany pretended that she was menaced. One might also indulge in subtle judicial controversies and formulate rash analogies between private and public law.¹ But it is on an altogether different ground that the discussion must take place.

It is not in fact a case of deciding whether in extreme circumstances a State may be excused

¹ See, for example, the articles of the *Kölnische Zeitung*, Nos. 995 and 1019, where are to be found references to Von Liszt, Rivier, and Von Ullmann.

for violating an engagement; the duty of self-preservation may, if we may believe Rivier, for example, override every other duty.¹ Nor is it a question of determining whether every engagement entered into by a State must always be observed by that State, even if the circumstances which exist at the time of that engagement should be suddenly and completely changed; that would be, according to Gladstone, who in 1870 adopted the view of Lord Aberdeen and of Lord Palmerston, "a rigid and impracticable view of the guarantee."

No! the question here can be put in terms infinitely more simple. In 1839, Prussia, whose obligations Germany accepted, contracted never to violate Belgian territory. This obligation is precise and definite. It means that Germany promised never to be induced by a strategic necessity to pass through Belgium.

The obligation means this—or it means nothing at all. One cannot imagine, for example, that it could be formulated in the following manner: "Germany engages never to enter Belgium with her armies except when she considers it necessary!" It is self-evident that the object of the neutralization treaty is precisely to forbid each one of the

¹ *Principes du droit des gens*, ii., p. 103.

contracting parties to make use of the neutralized territory for strategical purposes in any circumstances whatever; that is to say, that each of the contracting parties must organize its own defence without in any way making use of that territory. To permit one of them to invoke the necessity of violating a territory the inviolability of which he has guaranteed, would be literally to stultify the treaty. Such was exactly the opinion expressed by Talleyrand concerning the neutralization of Switzerland. "Through this resolution [he wrote in his *Memoirs*, edited by de Broglie, second volume], the means of defence for France, Germany, and Italy have been increased and the means of attack reduced. . . . The neutrality of Switzerland gives to France an impregnable bulwark along the only border where she is weak and unfortified."

Perhaps Germany was wrong in 1839 to guarantee Belgian neutrality. Perhaps she would have done better to consider at that time, as Bernhardt did in 1911, that the conception of a permanent neutrality is political heresy. Perhaps, even, she might have been able to realize her error between 1839 and 1914 and to convoke a new diplomatic conference with a view to deneutralizing Belgium. But the fact remains that in 1839 she signed a

treaty of neutralization, that in 1870 she referred to it with emphasis in order to attest her desire to respect the Belgian frontier, and, finally, that in 1907 she signed the first article to The Hague Convention which lays it down that the territory of neutral Powers is inviolable. She could not but have thought of those neutral States *par excellence*, Belgium, Switzerland, and the Grand Duchy of Luxembourg, the inviolability of which she had been herself safeguarding for so many years.

Consequently, in 1914, the engagement into which Germany entered remained intact, solemn and categorical, and it is merely a political sophism to pretend to assert that she was forced to break this engagement under the constraint of necessity. The Chancellor was more happily inspired when, carried away in the midst of a diatribe against England, he exclaimed to the British Ambassador at Berlin:¹

Just for a word "neutrality,"—a word which in war time had so often been disregarded—just for a scrap of paper. . . .

Undoubtedly, however, the Chancellor had not in his mind, on that day, certain words which his

¹ *Blue Book*, No. 160.

illustrious predecessor Bismarck pronounced in the Reichstag on May 2, 1871, after the creation of the German Empire:

There could be no question for us [Bismarck then explained] of forming Alsace and Lorraine into a neutral country like Belgium and Switzerland, for that would have erected a barrier which would have made it impossible for us to attack France. We are accustomed to respect treaties and neutralities.

In 1914, on the contrary, the Reichstag heard the Chancellor explain, that Germany, determined to conquer both France and Russia, had simply adopted the plan which appeared to her to offer most chances of success or, briefly stated, that she was violating right for strategical expediency.

Nay more, this violation was premeditated.

It was not in a moment of anguish that, unexpectedly menaced in her national existence, the German Empire had recourse to a desperate resolve and exposed Belgium, a loyal friend, to all the consequences of her crime. For no person of good sense will believe that the sudden and formidable invasion which spread over Belgian territory with a method and rapidity which have won the admiration of military critics of all countries, was unprepared. To assume that would be an insult to Germany's power of organization which

she would rightly resent with indignation. The invasion of Belgium was so much one of the elements of the plan of campaign in case of war that on July 31st, in a conversation with the British Ambassador, the German Secretary of State for Foreign Affairs declared that it was not possible to speak of what would be the attitude of Germany with regard to Belgian neutrality, for that would be revealing her strategical plans.¹ Obviously, it was necessary to keep the plan secret in order to ensure its success.

This being so, how valueless appear, then, the official assurances given at various times² by the representatives of Germany, with a view to attesting her unaltered intention to respect, in conforming with her engagements, the neutrality of Belgium!

Was Belgium wrong in placing confidence in such assertions? Were they not, on the contrary, in perfect accord with the general state of the relations between the two countries and with the whole ensemble of facts which we have attempted frankly to outline in the first pages of this narrative?

What then are we to conclude?

Are we to think that the conduct of Germany's

¹ *Blue Book*, No. 122.

² See pp. 17-19.

foreign affairs was without unity or consistency, that her diplomacy was sincere but was thwarted by influences which rendered its power and authority unstable? Was the premeditation rather of a military than a political character, and does the feeling of uneasiness—I had almost said of awkwardness—which the "Very Confidential Note" leaves, betray a conflict of tendencies at the end of which correctitude, honesty of intention, and regard for right gave way to unscrupulousness and to a total misapprehension of the moral principles of life?

Or must we really believe that the extremely reassuring declarations made by Germany had no other object than to lull public opinion in Belgium into a sense of security while German influences were being systematically made to infiltrate into the sphere of national activity with the object of preparing militant sympathies, or passive indifference, against the day when the powerful Empire would solicit the good-will of the little kingdom? Did Germany really return in cold hypocrisy all that Belgium had given her out of her candid and honest loyalty?

The German Note was handed in on Sunday, August 2d, at 7 P.M. At 9 o'clock a Council of

Ministers, attended by the Ministers of State, was held under the presidency of the King. During the night the following reply was drawn up and handed the following morning, Monday, August 3d, to the German Legation at Brussels.¹

The German Government stated in their note of August 2, 1914, that according to reliable information French forces intended to march on the Meuse via Givet and Namur and that Belgium, in spite of the best intentions, would not be in a position to repulse without assistance an advance of French troops.

The German Government therefore considered themselves compelled to anticipate this attack and to violate Belgian territory. In these circumstances Germany proposed to the Belgian Government to adopt a friendly attitude towards her and undertook on the conclusion of peace to guarantee the integrity of the kingdom and its possessions to their full extent. The Note added that if Belgium put difficulties in the way of the advance of the German troops, Germany would be compelled to consider her as an enemy and to leave the ultimate adjustment of the relations between the two States to the decision of arms.

This Note has made a deep and faithful impression upon the Belgian Government. The intentions attributed to France by Germany are in contradiction to the formal declaration made on August 1st in the name of the French Government.

¹ *Grey Book*, No. 22.

Moreover, if contrary to her expectations Belgian neutrality should be violated by France, Belgium intends to fulfil her international obligations and the Belgian Army would offer the most vigorous resistance to the invader.

The Treaties of 1839, confirmed by the Treaties of 1870, vouch for the independence and neutrality of Belgium under the guarantee of the Powers and notably of His Majesty the King of Prussia.

Belgium has always been faithful to her international obligations. She has carried out her duties in a spirit of impartiality and she has left nothing undone to maintain and enforce respect for her neutrality.

The attack upon her independence with which the German Government threatened her, constitutes a flagrant violation of international law. No strategic interest justifies such a violation of law.

The Belgian Government, if they were to accept the proposals submitted to them, would sacrifice the honour of the nation and betray their duty towards Europe.

Conscious of the part which Belgium has played for more than eighty years in the civilization of the world, they refuse to believe that the independence of Belgium can be preserved only at the price of the violation of her neutrality. If this hope is disappointed, the Belgian Government are firmly resolved to repel by all the means in their power every attack upon their rights.

At the same time on Monday, August 3d, the Minister for Foreign Affairs informed the repre-

sentatives of Belgium abroad by telegraph of the demand made by Germany and of the reply which had been given to it.

The French Minister in Brussels, when informed of these events, went immediately to make the following declaration to the Belgian Minister for Foreign Affairs¹:

Although I have received no instructions to make a declaration from my Government I feel justified, in view of their well-known intentions, in saying that if the Belgian Government were to appeal to the French Government as one of the Powers guaranteeing their neutrality, the French Government would at once respond to Belgium's appeal. If such an appeal were not made, it is probable that, unless of course exceptional measures were rendered necessary in self-defence, the French Government would not intervene until Belgium had taken some effective measure of response.

The Belgian Minister thanked him but declined the support that France had been good enough to offer in case of need and told him that the Government were making no appeal at present to the guarantee of the Powers, and that they would decide later what ought to be done.²

What does this mean? It is sufficient to refer to the explanations which have been given

¹ *Grey Book*, No. 24.

² *Ibid.*

above with regard to the notion of Permanent Neutrality in order to show the true significance of this step and the reply which it provoked. France acts in conformity with the obligation in which she finds herself to intervene in order to safeguard her own rights and those of Belgium, violated by the German invasion. If Belgium demands it, France will intervene at once; if not, France will wait until Belgium has actually offered resistance to the passage of German troops. Belgium chooses without hesitation the second alternative. She does not accept France's offer. She is confident of the justice of her cause; she intends to keep her hands free and will see later on what circumstances dictate to her.

The circumstances now rapidly took a critical turn. During the night information reached Brussels that left no doubt concerning Germany's intentions, and in the early hours of the morning, August 4th, the Government received the following letter from the German Minister at Brussels¹:

In accordance with my instructions I have the honour to inform Your Excellency that in consequence of the refusal of the Belgian Government to entertain the well-intentioned proposals made to them by the German Government, the latter, to

¹ *Grey Book*, No. 27.

their deep regret, find themselves compelled to take, *if necessary by force of arms*, those measures of defence already foreshadowed as indispensable in view of the menace of France.

A few moments later the Belgian Staff announced that territory had been violated at Gemmenich.¹ The die was cast. Germany intended to cross Belgium by brute force.

A Council of Ministers was immediately held to consider whether it was opportune to appeal to the intervention of the Guaranteeing Powers or at least the three Powers, England, France, and Russia, whose co-operation it was permissible to hope for. With absolute disinterestedness, and without desiring to take any security for the future, a simple decision in the affirmative was taken and the appeal drawn up in these terms was sent in the evening of August 4th²:

The Belgian Government regret to have to announce to Your Excellency that this morning the Armed Forces of Germany entered Belgian territory in violation of treaty engagements.

The Belgian Government are firmly determined to resist by all the means in their power.

Belgium appeals to Great Britain, France, and Russia to co-operate, as Guaranteeing Powers, in the defence of her territory.

¹ *Grey Book*, No. 30.

² *Ibid.*, No. 40.

There should be concerted and joint action to oppose the forcible measures taken by Germany against Belgium and at the same time to guarantee the future maintenance of the independence and integrity of Belgium. Belgium is happy to be able to declare that she would undertake the defence of her fortified places.

From this moment it is on another scene of action that we must follow the vicissitudes of the events which have so unexpectedly come to pass.

III

Belgian Neutrality Before Europe

III

BELGIAN NEUTRALITY BEFORE EUROPE

WE have seen how the permanent neutrality of Belgium had been created in 1839 by five Powers. This expedient had been thought out by Talleyrand as early as January, 1831, and had been strongly supported by Lord Palmerston in order to avoid the difficulties which the Belgian revolution had raised for the Powers, divided as they were by jealous rivalry.¹ The agreement was made precisely because the arrangement which neutralized Belgian territory neutralized at the same time the influences from which each of the Powers sought to shield the new State. The terms in which the neutrality was defined show clearly the scope of the convention. The Powers represented the declaration of neutrality as

a solemn manifestation, a clear proof of the firm determination which they had not to seek either in the arrangements with regard to Belgium or in

¹ *Memoirs*, edited by de Broglie, vol. iv.

any circumstances which might arise in the future, any increase of territory, any exclusive influence, any separate advantage, and of giving to this nation, as well as to all the States surrounding it, the best guarantees for peace and security.

I would emphasize one passage in this declaration. The signatory Powers engage themselves solemnly never to seek with regard to Belgium any exclusive influence or separate advantage. This can only mean that each of the five guaranteeing Powers precluded itself from exercising on Belgium any kind of action calculated to attach in any way the destiny of Belgium to its own. Any attempt, direct or indirect, to render her dependent must therefore put the other Powers on their guard and provoke their suspicions. The equilibrium of influences established in 1839 is an equilibrium of interests. On the surface it has as a safeguard the fidelity of each of the Powers to its solemn engagements and the feeling of national honour possessed by the Governments of each; but the real strength of the arrangement lies none the less in the interest of each Power that it should endure.

The war which broke out in 1870 between France and Germany furnished a perfect example of the delicacy of the equilibrium obtained by the neutralization of Belgium. The revelation by

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Bismarck on July 25, 1870, of the plan against Belgium which Napoleon III. had proposed to him in 1866 caused a deep sensation in Great Britain. The British Government feared that a French victory would arouse the covetousness of the Emperor, and, in order to prevent any surprise, they inquired of the two belligerents whether they were prepared to respect Belgian neutrality. Each party entered into a separate obligation, and these were embodied in the treaties of August 9 and 11, 1870, which simply reproduced the fundamental undertakings of 1839.

I cannot refrain from quoting here the striking remark that Bismarck made on this occasion to the Belgian Minister, Baron Nothomb. In a private letter he gave him a fresh assurance that Prussia would not violate the neutrality of Belgium and he added: "I am astonished that a man of your shrewdness should think that Bismarck would be so simple as to throw Belgium into the arms of France." In another letter he formulated an official declaration, which, he added, was superfluous in view of the existing treaties.

This intervention on the part of Great Britain was natural. Great Britain was a neighbour of Belgium and her special interest in the neutrality

of the coast and of the maritime port of Antwerp was obvious. She was driven to take this attitude by "due regard to the country's honour and to the country's interest," to quote the words of Lord Granville on August 8, 1870, in the House of Lords. Gladstone laid special stress on the latter. "There is also," he explained in the House of Commons, "this further consideration the force of which we must all feel most deeply, and that is, the common interests against the unmeasured aggrandizement of any Power whatever."

In 1914 the situation was in no way different from that of 1870 and so England was perfectly justified in renewing the inquiry made to Germany and France in 1870 in identical circumstances.

It was on July 31st that this step was taken—the same day in which, as we have already seen (page 29), the British Minister brought it to the knowledge of the Belgian Government.

The telegram sent by Sir Edward Grey, Minister for Foreign Affairs in Great Britain, to the Ambassadors at Berlin and at Paris runs thus¹:

I still trust that situation is not irretrievable, but in view of prospect of mobilization in Germany it becomes essential to His Majesty's Government, in view of existing treaties, to ask whether French

¹ *Blue Book*, No. 114.

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(German) Government are prepared to engage to respect neutrality of Belgium so long as no other Power violates it.

A similar request is being addressed to German (French) Government. It is important to have an early answer.

In order to appreciate in all its bearings the significance of this double request, it is necessary to visualize the positions occupied at this moment by the pieces on the European chess-board. I will, therefore, try, by extracts from the diplomatic "books" published by the several Governments, to trace roughly the course of events, and will attempt to bring out from this dense tangle of letters and telegrams the points which especially concern Belgium.

The "not irretrievable situation" of which Sir Edward Grey speaks, is that resulting from the diplomatic struggle caused in Europe by the Ultimatum addressed by Austria-Hungary to Servia as a result of the assassination of the Hereditary Archduke. "The bolt once fired," to use an expression of the German Ambassador in one of his interviews at the Foreign Office at Paris,¹ "Germany was perfectly aware that a warlike attitude of Austria-Hungary against Ser-

¹ *Orange Book*, No. 19.

via might bring Russia upon the field, and in this way involve Germany in a war in accordance with her duty as ally."¹ To prevent "the position of the Teutonic race from becoming untenable in Central Europe, Germany permitted Austria a completely free hand."² Thenceforward she was inclined to consider that the question was of interest only to Austria and Servia, but that by her aggressive intervention Russia had changed the venue of the dispute; action for the purpose of avoiding a war ought therefore to be taken at St. Petersburg.³

Opposed to this argument was that put forward by Russia, who declared that she could not remain indifferent to a conflict which threatened to destroy the sovereignty of Servia.⁴ Since the threat came from Austria it was at Vienna that action for the purpose of avoiding a war should be taken. France supported Russia.

In face of such a divergence of views, no mediation had any chance of success. It was not so much a question as to the possibility or the extent of any action in the direction of mediation, it was a question as to the place where the action should be taken.

¹ *White Book*, English edition, p. 2.

² *Ibid.*

³ *Orange Book*, pp. 40 to 53.

⁴ Cf. *Blue Book*, No. 17.

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Now, it was England who was taking action in the direction of mediation.

She had resisted the various requests which urged her to take her place on the side of Russia either directly, or indirectly by joining France. "If England took her stand firmly with France and Russia there would be no war," the British Ambassador in Russia had telegraphed to Sir Edward Grey on July 25th.¹ Sir Edward Grey had in his answer shown marked regard for public opinion which in England always has such weight in diplomatic decisions. "I cannot promise anything of the sort," he said, "and I do not consider that public opinion here would sanction that Great Britain should go to war over a Servian quarrel."²

On July 27th, the British Ambassador returned to the subject of the refusal of Great Britain to join with France and Russia.

It would not be a way to advance the cause of peace [he added], for it is a mistake to believe that if Germany learned that Great Britain had joined France and Russia she would adopt a more conciliatory attitude; the contrary would be the case.³

On the 28th a similar communication was made at Paris,⁴ and in order to confirm his attitude Sir

¹ *Blue Book*, No. 17; see also No. 6.

² *Ibid.*, No. 24.

³ *Ibid.*, No. 44; see also No. 47.

⁴ *Ibid.*, No. 59.

Edward Grey on the next day gave very categorical explanations to the French Ambassador at London:

The friendly tone of their conversations should not lead to any mistake and should not cause France to think that Great Britain would be on the side of France if her efforts to preserve peace should fail. Public opinion in England approached the present difficulty from quite a different point of view from that taken during the difficulty as to Morocco a few years before. Even the question of the supremacy of Teuton or Slav in the Balkans would not change our passive attitude. If Germany became involved and France became involved, Great Britain would have to consider what to do, but she was free from all engagements and would have to have regard to her own interests.¹

On July 30th, the President of the French Republic again urged this point of view upon the British Ambassador at Paris.

Peace is in the hands of Great Britain [he said]. If she announced that she would come to the aid of France in the event of a conflict between France and Germany, Germany would at once modify her attitude.²

The Ambassador resisted; it would be very difficult for the British Government to make such an announcement.³

¹ *Blue Book*, No. 87.

² *Ibid.*, No. 99.

³ *Ibid.*

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While Russia and France thus urged her to declare her attitude, Germany also suddenly added her urgent solicitation¹:

The Imperial Chancellor on July 29th explained to the British Ambassador at Berlin that the conflagration was threatening. France would be drawn into it by her obligations towards Russia. Germany knew that Great Britain would never stand by and allow France to be crushed; that, however, was not the object at which Germany aimed. She was ready to give Great Britain every assurance that if she proved victorious in any war that might ensue she would not annex any part of French territory, but she could only give these assurances in exchange for a promise of British neutrality.

"What would happen to the French colonies?" asked the Ambassador. The Chancellor answered that he could not give the same assurance with regard to them.

"And as to Holland?"

Germany will respect her integrity and her neutrality as long as her enemies do the same.

"And as to Belgium?"

It will depend on the action of France what operations Germany may be forced to undertake in Belgium, but after the war Belgium will maintain her integrity if she does not take sides against Germany.

The British Ambassador merely replied that he did not think that in the present state of affairs

¹ *Blue Book*, No. 85.

his Government would wish to bind themselves by any engagement.

This is the first time that the name of Belgium is mentioned with reference to the Austro-Servian dispute, and it is well to mark this moment. On July 29th, Germany confessed that thereafter the fate of the little nation that she has guaranteed would be at the mercy of military operations. Moreover she took care to tell her nothing about it and not to disturb the confident calm which she herself had encouraged by many reassuring declarations.

Almost at the same moment that this interview was taking place in Berlin, Sir Edward Grey saw the German Ambassador in London and made to him a declaration similar to that which he had just made to the French Ambassador¹:

Germany should not be misled by the friendly tone of the negotiations; the situation was very grave. Great Britain might be involved in order to defend her interests. She makes this frank declaration so that Germany shall not say later that if she had known it, the course of affairs might have been different.²

On July 30th, Sir Edward Grey hastened to reply to the suggestions of Germany with reference

¹ See page 89.

² *Blue Book*, No. 89.

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to the conditions of British neutrality in the course of the coming conflict. It is a *non possumus*, but the answer opens the door to future agreements. The text of this telegram is so important for the purpose of defining the attitude of Great Britain, especially in so far as Belgium is concerned, that I think it well to print it here in full.¹

His Majesty's Government cannot for a moment entertain the Chancellor's proposal that they should bind themselves to neutrality on such terms.

What he asks us in effect is to engage to stand by while French colonies are taken and France is beaten so long as Germany does not take French territory as distinct from the colonies.

From the material point of view such a proposal is unacceptable, for France, without further territory in Europe being taken from her, could be so crushed as to lose her position as a Great Power, and become subordinate to German policy.

Altogether apart from that, it would be a disgrace for us to make this bargain with Germany at the expense of France, a disgrace from which the good name of this country would never recover.

The Chancellor also in effect asks us to bargain away whatever obligation or interest we have as regards the neutrality of Belgium. We could not entertain that bargain either.

Having said so much it is unnecessary to examine

¹ *Blue Book*, No. 101.

whether the prospect of a future general neutrality agreement between England and Germany offered positive advantages sufficient to compensate us for tying our hands now. We must preserve our full freedom to act as circumstances may seem to us to require in any such unfavourable and regrettable development of the present crisis as the Chancellor contemplates.

You should speak to the Chancellor in the above sense, and add most earnestly that the one way of maintaining the good relations between England and Germany is that they should continue to work together to preserve the peace of Europe; if we succeed in this object the mutual relations of Germany and England will, I believe, be *ipso facto* improved and strengthened. For that object His Majesty's Government will work in that way with all sincerity and goodwill.

And I will say this: If the peace of Europe can be preserved, and the present crisis safely passed, my own endeavour will be to promote some arrangement to which Germany could be a party, by which she could be assured that no aggressive or hostile policy would be pursued against her or her Allies by France, Russia, and ourselves, jointly or separately. I have desired this and worked for it, so far as I could, through the last Balkan crisis, and, Germany having a corresponding object, our relations sensibly improved. The idea has hitherto been too Utopian to form the subject of definite proposals, but if this present crisis, so much more acute than any that Europe has gone through for generations, be safely passed, I am hopeful that the relief and reaction which will follow may make

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possible some more definite *rapprochement* between the Powers than has been possible hitherto.

On the next day, July 31st, while Sir Edward Grey spared no steps in order to bring his projects for mediation to a successful issue, he received from Berlin and St. Petersburg, successively, news of preparations for mobilization.

Nevertheless he used very energetic language in speaking to the French Ambassador at London.

The British Cabinet [he said] had come to the conclusion that they could not give any pledge at the present time. Up to the present moment neither the government nor public opinion felt that any treaties or obligations of Great Britain were involved. Further developments might alter this situation. The preservation of the neutrality of Belgium might be an important but not a decisive factor in determining our attitude. In any case Parliament would wish to know the situation with regard to the neutrality of Belgium. In spite of the repeated requests of the French Ambassador, Sir Edward Grey refused to undertake any definite engagement with regard to France.¹

It was then that, although he did not yet consider the situation "irretrievable," Sir Edward Grey addressed to Germany and France his demand with reference to respecting Belgian neu-

¹ *Blue Book*, No. 119.

trality,¹ and to Belgium his demand concerning the defence of her neutrality.² On the same evening France answered as follows³:

The French Government are resolved to respect the neutrality of Belgium, and it would only be in the event of some other Power violating that neutrality that France might find herself under the necessity, in order to assure the defence of her own security, to act otherwise.

This assurance has been given several times. The President of the Republic spoke of it to the King of the Belgians, and the French Minister at Brussels has spontaneously renewed the assurance to the Belgian Minister for Foreign Affairs to-day.

The following telegram was received from Berlin⁴:

I have seen Secretary of State, who informs me that he must consult the Emperor and the Chancellor before he could possibly answer. I gathered from what he said that he thought any reply they might give could not but disclose a certain amount of their plan of campaign in the event of war ensuing, and he was therefore very doubtful whether they would return any answer at all. His Excellency, nevertheless, took note of your request.

It appears from what he said that German Government consider that certain hostile acts have already been committed by Belgium. As an instance

¹ See page 86.

² *Blue Book*, No. 125.

³ See page 29.

⁴ *Ibid.*, No. 122.

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of this, he alleged that a consignment of corn for Germany had been placed under an embargo already.

I hope to see His Excellency to-morrow again to discuss the matter further, but the prospect of obtaining a definite answer seems to me remote.

In speaking to me to-day the Chancellor made it clear that Germany would in any case desire to know the reply returned to you by the French Government.

I do not dwell for the moment on the allusion made by the Secretary of State to an incident concerning a consignment of corn. I shall have occasion to show later by documentary evidence that in this unimportant affair Belgium had, on the contrary, tried to do everything in order to satisfy Germany.¹ Furthermore, as we shall see, at Brussels the request for information sent by the German Minister was most courteous, while to England this insignificant incident was represented as "many hostile acts."

As soon as Sir Edward Grey was in possession of the telegram from Berlin, received in the morning of August 1st, he hastened² to have an interview with the German Ambassador, and he communicated a *précis* of the interview to the British Ambassador at Berlin. The reader will observe the insistence with which the Minister

¹ See pages 129 *et seq.*

² *Blue Book*, No. 123.

speaks of public opinion: British diplomacy, more than any other, tries carefully to follow its trend.

I told the German Ambassador to-day that the reply of the German Government with regard to the neutrality of Belgium was a matter of very great regret, because the neutrality of Belgium affected feeling in this country. If Germany could see her way to give the same assurance as that which has been given by France it would materially contribute to relieve anxiety and tension here. On the other hand, if there were a violation of the neutrality of Belgium by one combatant while the other respected it, it would be extremely difficult to restrain public feeling in this country. I said that we had been discussing this question at a Cabinet meeting, and as I was authorized to tell him this I gave him a memorandum of it.

He asked me whether, if Germany gave a promise not to violate Belgium neutrality, we would engage to remain neutral.

I replied that I could not say that; our hands were still free, and we were considering what our attitude should be. All I could say was that our attitude would be determined largely by public opinion here, and that the neutrality of Belgium would appeal very strongly to public opinion here. I did not think that we could give a promise of neutrality on that condition alone.

The Ambassador pressed me as to whether I could formulate conditions on which we would remain neutral. He even suggested that the integrity of France and her colonies might be guaranteed.

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I said that I felt obliged to refuse definitely any promise to remain neutral on similar terms, and I could only say that we must keep our hands free.

It is to be noted that this *précis* in the English *Blue Book* agrees absolutely with the German version of the same interview sent to Berlin by the Ambassador, the text of which is to be found in the semi-official article of the *Norddeutsche Allgemeine Zeitung* of September 6th. The German Ambassador gives even more details concerning Belgium:

Sir Edward Grey [he says] turned again and again to Belgian neutrality and was of opinion that this question would also play a great part.¹

One passage of the report of the interview at London should be remembered. The German Ambassador asked whether, if Germany gave a promise not to violate Belgian neutrality, Great Britain would engage to remain neutral. The Minister replied that he could not promise anything. Several publicists have tried to find in this reply substance for a controversy with regard to the designs of English policy.²

¹ *White Paper*, edition v. Massow, p. 88.

² For example, *Kölnische Zeitung*, No. 886, August 5th, and No. 996, September 6th; see also the speech of the Dutch professor d'Aulnis de Bourrouil in the *Kölnische Zeitung*, No. 1205, November 3d.

I am not in the least concerned here with an analysis of English policy; I am trying to discover the intentions of Germany with regard to Belgium in order to clear up the events which resulted from it. Now the offer of Germany shows that in the coming conflict the neutrality of Belgium was for her not a sacred obligation but merely a pawn in her game, which she intended to bargain away. England was a formidable adversary; she was interested in the independence of Belgium. The problem, therefore, for Germany could be stated as follows: "By means of what arrangements, of which Belgium will be the basis, can we purchase the abstention of England and buy her complicity?"

During the whole of the day of August 1st very urgent telegrams were again exchanged by the several chancelleries, with a view to discovering possible common ground for mediation in the Austro-Servian dispute. But the question of Belgium was not raised; as far as she was concerned the reply of Germany was awaited.

On August 2d, Sir Edward Grey saw the French Ambassador in the morning; he reports as follows the interview that he had with him, in the course of which the position of Belgium was considered¹:

¹ *Blue Book*, No. 148.

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After the Cabinet this morning I gave M. Cambon the following memorandum:

"I am authorized to give an assurance that, if the German fleet comes into the Channel or through the North Sea to undertake hostile operations against French coasts or shipping, the British fleet will give all the protection in its power.

"This assurance is of course subject to the policy of His Majesty's Government receiving the support of Parliament, and must not be taken as binding His Majesty's Government to take any action until the above contingency of action by the German fleet takes place."

I pointed out that we had very large questions and most difficult issues to consider, and that Government felt that they could not bind themselves to declare war upon Germany necessarily if war broke out between France and Germany tomorrow, but it was essential to the French Government, whose fleet had long been concentrated in the Mediterranean, to know how to make their dispositions with their north coast entirely undefended. We therefore thought it necessary to give them this assurance. It did not bind us to go to war with Germany unless the German fleet took the action indicated, but it did give a security to France that would enable her to settle the disposition of her own Mediterranean fleet.

M. Cambon asked me about the violation of Luxemburg. I told him the doctrine on that point laid down by Lord Derby and Lord Clarendon in 1867. He asked me what we should say about the violation of the neutrality of Belgium. I said that was a much more important matter; we were con-

sidering what statement we should make in Parliament to-morrow—in effect, whether we should declare violation of Belgian neutrality to be a *casus belli*. I told him what had been said to the German Ambassador on this point.

During the course of August 3d, Sir Edward Grey learned that the German Note to Belgium had been sent, without however being put in possession of the text by the Belgian Legation. Shortly afterwards the King of England received from the King of the Belgians a telegram worded as follows:

REMEMBERING the numerous proofs of your Majesty's friendship and that of your Majesty's predecessors as well as the friendly attitude of Great Britain in 1870 and of the proof of sympathy she has just given us again, I make a supreme appeal to the diplomatic intervention of your Majesty's Government to safeguard the neutrality of Belgium.

This supreme appeal was only too well justified. Three days before, on July 31st, the King of the Belgians had also addressed a personal letter to the German Emperor,¹ and on that same day the Government of the King had been informed by the British Minister at Brussels of the simultaneous demands which Great Britain had ad-

¹ See page 31.

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dressed to Germany and to France, thus renewing in 1914 the proof of sympathy which she had given to Belgium in 1870.

On this same day, August 3d, Sir Edward Grey, with inadequate information at his disposal, went down to the House of Commons. He there made a speech, which is a sort of public self-examination, during the course of which he communicated to the members, who he no doubt felt were in a state of some hesitation, the considerations which moved him. As the Oxford historians have remarked in their recent pamphlet, we should not forget that Great Britain has a responsible Cabinet and a responsible Parliament; before an English Minister can act in a question of international importance, he must convince his colleagues and they must convince a democracy which is essentially pacifist, prudent, and slow to move. I will only reproduce here from the speech of Sir Edward Grey some of the passages which deal with Belgium, according to the text which appeared as an appendix to the English edition of the *Blue Book*, especially pages 93-96. There is to be noted the double thread which had marked already in 1870 the speeches of Lord Granville and of Gladstone—the interests of Great Britain and her honour.

Sir Edward Grey began by recalling what had

passed in 1870 and he observed that Germany, represented by Prince Bismarck, had at that time perfectly recognized the inviolability of the Treaties of 1839, and had again guaranteed the permanent neutrality of Belgium. Then, coming to the request which the King of the Belgians had addressed to the King of England, he said:

The King of the Belgians has made a supreme appeal to our diplomatic intervention. Diplomatic intervention took place last week on our part. What can diplomatic intervention do now? We have great and vital interests in the independence—and integrity is the least part—of Belgium. Germany sounded us in the course of last week as to whether, if a guarantee were given that, after the war, Belgian integrity would be preserved, that would content us. We replied that we could not bargain away whatever interests or obligations we had in Belgian neutrality. If Belgium is compelled to submit to allow her neutrality to be violated, of course the situation is clear. Even if by agreement she admitted the violation of her neutrality, it is clear she could only do so under duress. The smaller States in that region of Europe ask but one thing. Their one desire is that they should be left alone and independent. The one thing they fear is, I think, not so much that their integrity but that their independence should be interfered with. If in this war which is before Europe the neutrality of one of those countries is violated, if the troops of one of the combatants violate its neutrality and no action

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be taken to resent it, at the end of the war, whatever the integrity may be, the independence will be gone.

No, Sir, if it be the case that there has been anything in the nature of an ultimatum to Belgium, asking her to compromise or violate her neutrality, whatever may have been offered to her in return, her independence is gone if that holds. If her independence goes, the independence of Holland will follow. I ask the House, from the point of view of British interests, to consider what may be at stake. If France is beaten in a struggle of life and death, beaten to her knees, loses her position as a great Power, becomes subordinate to the will and power of one greater than herself—consequences which I do not anticipate, because I am sure that France has the power to defend herself with all the energy and ability and patriotism which she has shown so often—still, if that were to happen, and if Belgium fell under the same dominating influence, and then Holland, and then Denmark, then would not Mr. Gladstone's words come true, that just opposite to us there would be a common interest against the unmeasured aggrandizement of any Power?

This statement of the problem by Sir Edward Grey shows a perfect grasp of the situation, for if, forgetting the actual crisis, we place ourselves before the realities of the future, we see that the simple question is whether the hegemony of the German Empire will be established over Central Europe and whether the small nations will only escape conquest by accepting vassal-

age. The Germans—with the exception perhaps of my colleague, Professor Werner Sombart, who, if you please, considers Belgium as a political abortion¹ and the Belgian nation as an object for gentle mirth²—are doubtless the first to understand that other nations, while thoroughly recognizing how wonderful many realizations of Germany are, cherish their autonomy and strive with all their might towards a future based on their own traditions and their own patrimony. Now, if military interests are alone to influence the relations between States, is it not obvious that the supremacy of the strongest military State will be assured, since the small nations, even if united, would not be able to withstand her power?

Raising the debate to a higher plane, Sir Edward Grey continued:

I have one further quotation from Mr. Gladstone:

“We have an interest in the independence of Belgium which is wider than that which we may have in the literal operation of the guarantee. It is found in the answer to the question whether, under the circumstances of the case, this country, endowed as it is with influence and power, would quietly stand by and witness the perpetration of the direst crime that ever stained the pages of history, and thus become participators in the sin.”

¹ *Eine Missgeburt der Politik.*

² *Berliner Tageblatt*, November 2d, No. 557.

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It may be said, I suppose, that we might stand aside, husband our strength, and that, whatever happened in the course of this war, at the end of it intervene with effect to put things right, and to adjust them to our own point of view. If, in a crisis like this, we run away from those obligations of honour and interest as regards the Belgian treaty, I doubt whether, whatever material force we might have at the end, it would be of very much value in face of the respect that we should have lost. We should have sacrificed at the same time our reputation before the world and our most important economic interests.

Nevertheless Sir Edward Grey suspended any decision until he should receive precise information with regard to the nature of the demand addressed to Belgium by Germany for permission to pass through Belgium, and he finished by recalling the fact that he merely wished to explain to the House the attitude of the Government and to put it in possession of all the vital facts.

But later in the course of the same day he again spoke and announced that he had just received from the Belgian Legation the exact text of the Note telegraphed in the morning by the Belgian Government² and in conclusion said simply:

I can only say that the Government are prepared to take into grave consideration the information

² See page 76.

which they have received. I make no further comment upon it.¹

The Cabinet met shortly afterwards and as a result of the meeting Sir Edward Grey informed the Belgian Minister at London that "if Belgian neutrality is violated it means war with Germany."²

On the next day, the 4th of August, in the morning, Sir Edward Grey sent to Berlin this telegram which contains the result of the deliberations of the evening before³:

The King of the Belgians has made an appeal to His Majesty the King for diplomatic intervention on behalf of Belgium in the following terms:

"Remembering the numerous proofs of your Majesty's friendship and that of your Majesty's predecessors, as well as the friendly attitude of Great Britain in 1870 and the proof of sympathy she has just given us again, I make a supreme appeal to the diplomatic intervention of your Majesty's Government to safeguard the neutrality of Belgium."

His Majesty's Government are also informed that the German Government have delivered to the Belgian Government a note proposing friendly neutrality entailing free passage through Belgian territory, and promising to maintain the independ-

¹ *Blue Book*, p. 97.

² *Grey Book*, No. 26.

³ *Blue Book*, No. 153.

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ence and integrity of the kingdom and its possessions at the conclusion of peace, threatening in case of refusal to treat Belgium as an enemy. An answer was requested within twelve hours.

We also understand that Belgium has categorically refused this as a flagrant violation of the law of nations.

His Majesty's Government are bound to protest against this violation of a treaty to which Germany is a part in common with themselves, and must request an assurance that the demand made upon Belgium will not be proceeded with and that her neutrality will be respected by Germany. You should ask for an immediate reply.

Shortly afterwards the news was telegraphed by the British Minister at Brussels that a second German Note had been presented announcing that troops were about to cross the frontier in spite of the refusal of Belgium.¹ Sir Edward Grey immediately telegraphed the following Note to the Ministers in Belgium, in Holland, and in Norway²:

Please declare that Great Britain expects that these three kingdoms will resist German pressure and observe neutrality. Should they resist they will have the support of Great Britain, who is ready in that event, should the three above mentioned Governments desire it, to join France and Russia,

¹ See page 78.

² *Grey Book*, No. 37.

in offering an Alliance to the said Governments for the purpose of resisting the use of force by Germany against them, and a guarantee to maintain the future independence and integrity of the three kingdoms.

With regard to Belgium this proposal was made, as Sir Edward Grey explained to the Belgian Minister at London, in case the neutrality of the kingdom should be violated.¹ As we shall see, however, it was cancelled soon afterwards.

Scarcely had this Note been sent when there arrived in quick succession telegrams from Berlin and Brussels; the latter announced the violation of the frontier at Gemmenich²; the former, sent by the Chancellor to the German Ambassador, dealt exclusively with Belgium. It is of the greatest importance in the panorama of events with which we are now dealing.³

Please dispel any mistrust that may subsist on the part of the British Government with regard to our intentions, by repeating most positively formal assurance that, even in the case of armed conflict with Belgium, Germany will, under no pretence whatever, annex Belgian territory. Sincerity of this declaration is borne out by the fact that we solemnly pledged our word to Holland strictly to respect her neutrality. It is obvious that we could

¹ *Grey Book*, No. 137.

² *Blue Book*, No. 158.

³ *Ibid.*, No. 157.

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not profitably annex Belgian territory without making at the same time territorial acquisitions at expense of Holland. Please impress upon Sir E. Grey that the German army could not be exposed to French attack across Belgium, which was planned according to absolutely unimpeachable information. Germany had consequently to disregard Belgian neutrality, it being for her a question of life or death to prevent French advance.

The passage in which Germany affirms that in case of armed conflict with Belgium she will under no pretence whatever annex Belgian territory should be carefully noted. It means that Germany will respect the territorial integrity of Belgium but enters into no engagement with reference to the political or economic independence of that country.

But a little later in the course of the same day, the 4th of August, the Imperial Chancellor, in his official declaration to the Reichstag, went a step further.

We have given [he said] an assurance to Great Britain that so long as she remains neutral we shall respect the territorial integrity and independence of Belgium. This declaration I renew here publicly before the whole world.

This promise, like the one formulated in the telegram, was unconditional so far as Belgium was

concerned; whether she resisted or not, not only her integrity, but even her independence ought to be guaranteed.

We must lay stress on this point, for it clearly shows the real attitude of Germany in considering Belgian neutrality, as I have already stated above, not as a sacrosanct thing defended by a solemn guarantee, but as a pawn with which she might bargain.

Let us first compare this declaration of the 4th of August with the offer made on July 29th by the Imperial Chancellor that the integrity of Belgium would be respected if she did not side against Germany. Then let us recall the terms of the Very Confidential Note of August 2d: Germany fully guaranteed the integrity and independence of the country if Belgium received in a friendly spirit the German armies in their march towards France; she did not guarantee anything if Belgium opposed their passage. We see how the conditions of the bargain which Germany forced upon Belgium were modified during the five days. Those formulated *in extremis* on the afternoon of the 4th of August, when the firm attitude of Great Britain had already been made clear, are more favourable than those of the morning of August 4th, which were already

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more favourable than those of the 2d of August, which, in their turn, were more favourable than those of the 29th of July.

The bidding was not to stop even at the proposals of August 4th. Anticipating the chronological course of events I will here remark that on August 9th new proposals were sent to Belgium. This time the Belgian army had—these are the very words of this new German Note—"just upheld the honour of its arms in the most brilliant manner by its heroic resistance to very superior force."¹ Liège had just been occupied. Germany then turned to Belgium and said in a tone of far greater deference than that of the Very Confidential Note of August 2d:

The German Government most deeply regrets that bloody encounters should have resulted from the Belgian Government's attitude towards Germany. Germany is not coming as an enemy into Belgium. It is only through the force of circumstances that she has had, owing to the military measures of France, to take the grave decision of entering Belgium and occupying Liège as a base for her further military operations. The German Government beg the King of the Belgians and the Belgian Government to spare Belgium the horrors of war. The German Government are ready for

¹ *Grey Book*, No. 62.

any compact with Belgium which can in any way be reconciled with their arrangements with France. Germany gives once more her solemn assurance that she has not been animated by the intention of appropriating Belgian territory for herself, and that such an intention is far from her thoughts. Germany is still ready to evacuate Belgium as soon as the state of war will allow her to do so.

This time we have reached the highest bid. Let us return along the course we have traversed. Belgium had two alternatives. She could either allow the German troops to pass, or could oppose them with an armed resistance. She chose the second alternative. This attitude meant for her:

On July 29th, the loss of her integrity and no guarantee with regard to her independence;

On August 2d, a fate depending on the force of arms;

On August 4th, in the morning, the preservation of her integrity, without any guarantee as to her independence;

On August 4th, in the afternoon, the preservation of her integrity and of her independence;

On August 9th, when she had already taken up this attitude, it meant for her all the guarantees which she might desire so long as they were compatible with the Franco-German dispute.

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We can now see clearly the nature of Germany's action.

She not only violated the neutrality of Belgium in spite of treaties signed by her; she really conspired against her very existence; she attempted the life of this little nation.

Indeed, to cross territory which is inviolable is one thing; but to rob an innocent country of her integrity and her independence is quite another thing!

Germany declared to Switzerland, on August 4th, that she was convinced that "the Swiss Confederation, with the support of her strong army and the indomitable will of the entire Swiss people, will repel every attempt to violate her neutrality"¹ and to Belgium, neutral like Switzerland, she announced on August 2d² that if she dared to defend herself against the German armies, her fate would be left to the decision of arms!

To this threat Belgium answered with dignity³ that she refused to believe that her independence could only be maintained at the price of the violation of her neutrality. What would she have said had she but been aware of the plot hatched against her during the past five days?

Why did not Germany, from the first day on

¹ See page 49.

² See page 39.

³ See page 75.

which she dragged Belgium into the European conflict, act honestly, turn to her frankly, and say that in no case, whether she resisted or did not resist, would any attempt ever be made against her independence or her integrity or any of her international prerogatives? Instead of acting thus honestly, on July 29th she gave England, whose inaction she wished to purchase and whose complicity she wished to secure, to understand that Belgium would only remain intact if she did not resist. She thus began to bargain about Belgium behind Belgium's back and five days before communicating with her, while at Brussels she was still lavishing upon her tokens of confidence and sympathy!

What does all this mean? Did Germany wish to annex the whole or part of Belgium? Did she want Antwerp? Did she want the coast? Did she wish to fetter the independence of the nation? On August 4th she stated^{*} that in order "profitably" to annex Belgian territory she would have to make territorial acquisitions at the expense of Holland, which she did not wish to do. Was Belgium then really nothing more than an object of greed and covetousness? Had then the march across Belgium, simply undertaken in order to en-

^{*} See pp. 110-111.

sure the security of the Empire, changed into a war of subjection? Was Maximilian Harden right when he wrote:

Noble Germanism must conquer new provinces here. . . . Antwerp, not in opposition to but side by side with Hamburg and Bremen; Liège side by side with the armour works of Hesse, Berlin, and Swabia; Cockerill allied with Krupp; Belgian and German iron, coal, and cloth under the same directorship. . . . From Calais to Antwerp, Flanders, Limburg, and Brabant, up to the line of fortresses of the Meuse, all Prussian!¹

Was this then the plain meaning of the offer which on July 29th, amid the silence of the chancelleries, was communicated to England? And was it a finesse on Germany's part, in order to create an excuse for the subjugation of Belgium, to drive her to a resistance which Germany knew was inevitable—since she congratulated Switzerland on organizing a precisely similar resistance? This diplomatic manoeuvre would certainly be particularly clever. It is a threefold manoeuvre. In any case England was intimidated; if Belgium resisted she would be brought into subjection; and if, contrary to expectation, she decided not to resist, the road to France was open.

¹ *Zukunft*, October 17th.

And so from the first moment that Germany mentioned the name of Belgium, in a dispute which did not concern this little nation, she formed her plan: "To force Belgium to defend herself and, in order to punish her for having done her duty, to bring her into subjection."

Truly in the face of such evidence, the violation of Belgian neutrality falls into the background and there appears on the foreground an implacable *Plot Against Belgium*.

No mention of any of these machinations was made by the Imperial Chancellor or the German *White Book*: when a public justification had to be made, and the Chancellor had to recognize on two separate occasions in the Reichstag that Germany was committing a wrong law, (*Ein Unrecht*) he was content to hide behind the maxim *Not kennt kein Gebot*, "Necessity knows no law!"

The excuse of necessity! I have already shown¹ that only by a mere political sophism could this excuse be made in the case of the violation of Belgian neutrality. But this does not matter here. The point of the argument is that during a diplomatic dispute Germany made bargains at the expense of Belgium. The necessity of her strategic convenience could only force Germany to pass

¹ See page 69.

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through Belgium, and nothing more. And if it is true that the only thought in the violation of Belgian neutrality was care for the safety of the Empire, why try to tear Belgium's sovereignty to shreds or allow her to maintain it only at the expense of compliant submission to outrage?

Do not the best friends of Germany, and even those Germans themselves who know during the poignant time which their country is going through how to maintain their critical judgment, feel in face of these facts very uncomfortable and, in short, filled with remorse? Do they not bow before the indignation which stirred the Belgians to action in the hour when they were attacked, and still makes them shake with suppressed wrath, cut off as they are from the world in the land of their birth, which is occupied by an invader?

When Sir Edward Grey received the telegram from Germany on August 4th he cancelled by telegram his communication to Belgium, Holland, and Norway,¹ and he replied to Berlin repeating his request for a formal undertaking to respect Belgian neutrality.²

¹ *Grey Book*, No. 43.

² *Blue Book*, No. 159.

We hear that Germany has addressed a note to Belgian Minister for Foreign Affairs stating that the German Government will be compelled to carry out, if necessary by force of arms, the measures considered indispensable.

We are also informed that Belgian territory has been violated at Gemmenich.

In these circumstances, and in view of the fact that Germany declined to give the same assurance respecting Belgium as France gave last week in reply to our request made simultaneously at Berlin and Paris, we must repeat that request, and ask that a satisfactory reply to it and to my telegram of this morning be received here by 12 o'clock to-night. If not, you are instructed to ask for your passports, and to say that His Majesty's Government feel bound to take all steps in their power to uphold the neutrality of Belgium and the observance of a treaty to which Germany is as much a party as ourselves.

In the afternoon the British Ambassador, in accordance with his instructions, called upon the Secretary of State for Foreign Affairs and enquired whether his Government would respect Belgian neutrality.

"I am sorry to say 'No,'" answered the Secretary of State, "as, in consequence of the German troops having crossed the frontier already, Belgian neutrality has been already violated."¹

¹ *Blue Book*, No. 160.

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The strategic reason for the crossing of the frontier was then given in the words which have already been quoted above.¹ There is no need to repeat them here. But it is useful to make some quotations from the conversation which the British Ambassador had on the same evening with the Imperial Chancellor. The points of view of Germany and England are there contrasted in a striking manner. I take them from the report sent to Sir Edward Grey by the British Ambassador at Berlin²:

I found the Chancellor very agitated. His Excellency at once began a harangue, which lasted for about twenty minutes. He said that the step taken by His Majesty's Government was terrible to a degree; just for a word—"neutrality," a word which in war time had so often been disregarded—just for a scrap of paper Great Britain was going to make war on a kindred nation who desired nothing better than to be friends with her. All his efforts in that direction had been rendered useless by this last terrible step, and the policy to which, as I knew, he had devoted himself since his accession to office had tumbled down like a house of cards. What we had done was unthinkable; it was like striking a man from behind while he was fighting for his life against two assailants. He held Great Britain responsible for all the terrible events that might

¹ See page 67.

² *Blue Book*, No. 160.

happen. I protested strongly against this statement and said that, in the same way as he and Herr von Jagow wished me to understand that for strategical reasons it was a matter of life and death to Germany to advance through Belgium and violate the latter's neutrality, so I would wish him to understand that it was, so to speak, a matter of "life and death" for the honour of Great Britain that she should keep her solemn engagement to do her utmost to defend Belgium's neutrality if attacked. That solemn compact simply had to be kept, or what confidence could anyone have in engagements given by Great Britain in the future? The Chancellor said: "But at what price will that compact have been kept? Has the British Government thought of that?" I hinted to His Excellency as plainly as I could that fear of consequences could hardly be regarded as an excuse for breaking solemn engagements, but His Excellency was so excited, so evidently overcome by the news of our action, and so little disposed to hear reason that I refrained from adding fuel to the flame by further argument. As I was leaving he said that the blow of Great Britain joining Germany's enemies was all the greater that almost up to the last moment he and his Government had been working with us and supporting our efforts to maintain peace between Austria and Russia. I said that this was part of the tragedy which saw the two nations fall apart just at the moment when the relations between them had been more friendly and cordial than they had been for years. Unfortunately, notwithstanding our efforts to maintain peace between Russia and Austria, the war had spread and had brought us face to face with a

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situation which, if we held to our engagements, we could not possibly avoid, and which unfortunately entailed our separation from our late fellow-workers. He would readily understand that no one regretted this more than I.

What an impression of sombre grandeur emerges from the picture here outlined. How well we realize the earnestness of the dramatic duologue. Nothing is omitted, nothing is glozed over, in this encounter: Both men tremble before the frightful responsibility which they are undertaking. The deep impulses which animate them, the secret driving power of their thoughts, alone dominate them at this moment. The interview was "somewhat painful," the Ambassador said simply in his report, and we can feel the pent-up emotion which this word enshrines for him.

This interview sheds a strong light on the attitudes of Germany, Great Britain, and Belgium, not only in the conflict which was about to break out, but also during all the preceding period. I will here sum up briefly the main features of these attitudes.

Great Britain, as we have seen, had refused the urgent entreaties of Russia and France to place herself at their side. She had also flatly refused to enter into any undertaking with Germany to

remain outside the conflict on condition that she should be satisfied with certain guarantees as to the future position of Belgium, if, as was probable, the German armies were to violate Belgian territory.

Germany had hoped that as soon as she gave this assurance to Great Britain the latter would think that the risk of war with Germany was too high a price to pay for the protection of Belgian neutrality. And so, after having reconnoitred the British position on July 29th, Germany had put off from day to day her answer to the invitation of Sir Edward Grey that she should enter into a formal undertaking to respect the treaties. In the meantime she had made a higher bid than that which she first offered and she had successively reduced her demands, until on August 4th she guaranteed the integrity and independence of Belgium even if the latter were to offer resistance to the German troops. Germany had thereby revealed her fixed intention to take as much from Belgium as Great Britain would allow her to take, and she had shown that she really considered Belgian neutrality merely as an object for bargaining.

Belgium, now—I think I have proved this in the preceding pages—waited until the last possible moment before asking for any help. She knew

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(and this was a sad conviction for a nation which was conscious of having worthily maintained the place which elder nations had made for her) that her neutrality was the creation of others, that she was in the hands of others, that all her thoughts, all her riches, all that made her what she was scarcely counted at this supreme crisis; and she did not ask for help for fear of awaking susceptibilities or of not keeping full liberty of action. When the German menace rose before her she came to her decision alone, without taking advice from any one, without furnishing explanations or excuses to any one because she was not bound to any one, or rather because she was equally bound to all by an equal respect for her obligations. Even in this tragic moment she was willing to rely on the sense of justice of her guarantors—all her guarantors. She limited herself to pointing out to them the unexpected danger which threatened them at the same time as herself. She refused the military help which France offered her. Her king, remembering what Great Britain had spontaneously done in identical circumstances, asked her—for what? For arms to repel the invader? For pledges, before exposing his little nation to the worst calamities? No, for diplomatic intervention in order to safeguard her

neutrality, which the Powers had mutually given a solemn promise to respect. And Belgium awaited the "act of war" before asking her guarantors, as late as on August 4th, to co-operate for the defence of her territory.

I refrain here from passing any judgment on the European policy of any of the Great Powers. But one thing I must do, as must every honest man, and that is to affirm, without any fear of contradiction, the absolute loyalty of Belgium during the course of all the negotiations which preceded the war.

IV

The Imputations against the Loyalty of Belgium

IV

THE IMPUTATIONS AGAINST THE LOYALTY OF BELGIUM

ON August 4th one point seemed to be clear, namely the admission by Germany that she only violated the neutrality of Belgium because forced to do so by necessity. Whether the necessity was to anticipate the presumed intentions of France,¹ or the necessity of insuring a military success, which might have been jeopardized by adopting any other route than that through Belgium,² does not matter: the point is that Germany did not at that moment make any accusation against Belgium. The "Very Confidential Note" paid tribute to the "utmost good will" of Belgium,³ and the German Secretary of State for Foreign Affairs had declared to the Belgian Minister, "The correctness of your country's attitude has been perfect: Germany can have no complaint against her."⁴

¹ See pp. 39, 60.

³ See p. 39.

² See pp. 64-65, 67.

⁴ See pp. 65-66.

But from the first day of hostilities a curious change came over the German attitude.

On the one hand the public were left in ignorance of facts which must have presented Belgian politics in their true light. Thus the *Kölnische Zeitung* never published the text of the Belgian reply to the "Very Confidential Note" any more than it published the text of the speech of King Albert to Parliament. Thus again in the German *White Book*, Belgium is never once mentioned, and in particular no reference is made to such typical interviews as those of July 29th and 30th at Berlin.¹ And, what is more, it was only on August 8th that the *Frankfurter Zeitung* published a telegram of the Wolff Agency giving the text of the "very confidential note" of the 2d, and—I would call the reader's particular attention to this—the text was followed by this sentence: "This note remained unanswered" (*Auf diese Note erfolgte keine Antwort*).² Of all that Belgium had said, of all that she had done, not one word—except a flagrant untruth.

The order was thus given to conceal the loyalty of Belgium from the German public. At the same time imputations suddenly sprang up on all sides;

¹ See pp. 91, 92

² *Urkunden, Depeschen und Berichte der Frankf. Ztg.*, p. 87.

a savage attack was made on the good name of the little country which Germany's troops were invading. The most harmless incidents were exaggerated; the most upright intentions furnished matter for suspicion. Germany seemed gradually to make the discovery that the deed she had done was justifiable on grounds quite different from those which she had invoked: that, after all, Belgium had been guilty, while she had been thought to be innocent. Why this talk of the violation of Belgian neutrality? The neutrality of Belgium had vanished; it had been conjured away by Belgium herself. False to all her duties, this obstructive country had, before the war, parted with her freedom for the benefit of Germany's enemies. Forgetting that her neutrality imposed on her the obligation to hold aloof from the complications of international politics, she had, behind the back moreover of some of her guarantors, put her hand to engagements which could not be tolerated. Therefore Belgium's fate was just retribution; her cause deserved neither interest nor sympathy. Even—and this argument has been much more widely echoed in neutral countries than common sense would have led one to expect—it was Germany, not Belgium, who found herself menaced:

Ought we to have waited [wrote a correspondent of the *Kölnische Zeitung*¹ to some Dutch friends] until Belgium and the Allies into whose hands she had long since willingly delivered herself had given Aix-la-Chapelle over to the flames? Or ought we to have marched boldly into Belgium?

As a matter of fact, even if we supposed that all these accusations had been substantiated, not one of which either the German Government or the Imperial Chancellor or the Secretary of State thought of putting forward between the 2d and the 4th of August, this would not lighten by a single grain Germany's load of moral responsibility. She tried to buy another nation's complicity in her political ends at the price of Belgium's very existence. All that she said and did remains said and done.

But Belgium does not intend to be accused without defending herself with the firm determination to make the truth known.

We must therefore recapitulate patiently the charges made, either against the Government or against the people of Belgium. I will class them under three heads:

Hostile acts before the war;

Subservience to France;

Subservience to England.

¹ No. 1188, October 30th.

I must however at the outset refute two imputations which are independent of the events of the present war and which are designed to shake the general confidence that can be placed in the honesty of Belgium's political relations.

It has been said that Belgium¹ had already failed to respect her international engagements when it was a question of observing the obligations of the Treaty of Berlin with regard to freedom of trade and suppression of slavery in the Congo. The answer is easy.

Opinion may differ as to the administration of the former Congo Free State, but one thing is certain: it was the administration of that State and in no way that of Belgium. When Belgium acquired sovereignty over the Congo she introduced prompt and radical changes into the economic administration. The annexation dates from November, 1908, the Reform Decrees from 1910, and the new administration conformed so exactly with the stipulations of the Treaty of Berlin, and the confidence of the Powers in the manner in which Belgium observed treaty obligations was so great, that all of them recognized the annexation, and Germany herself was the first to do so.

The accusation is therefore without any founda-

¹ *Kölnische Zeitung*, No. 1028, November 15th.

tion. It forms the ground, I may add, of an opinion which has been fostered in certain German circles, and to which Bernhardi in particular gave expression in the work from which I have already quoted.¹ Belgium had, he said, profoundly changed the neutrality guaranteed to her by the Treaties of 1839 because, since then, she had annexed the Congo. This point of view omits to take into consideration one single factor, but it is one of capital importance. This is precisely the fact that the guarantor Powers recognized the annexation without formulating any reservations. This was clear evidence that they did not consider that the equilibrium of interests established by the Treaties of 1839 or the guarantees that they had assumed were impaired by the constitution of the Congo into a Belgian Colony.

A second proof of the inability of Belgium to carry out her international obligations is to be found, according to some, in the inadequacy of her military organization.²

It is wholly erroneous to suppose that Belgium, even before the recent reorganization of her army, had neglected the duties of defence. On the

¹ *Deutschland und der nächste Krieg* (6th edition, p. 123).

² See for instance von Blume, *Die belgische Neutralität und Wir*, in *Das Grössere Deutschland*, 1914, pp. 1041 and onward.

contrary, she possessed a well-ordered system of strategic protection. The fortress of Antwerp, which formed an entrenched camp of the first order, the fortifications of Liège and Namur, which served as *places d'arrêt*, bridgeheads, and *points d'appui*, and the field army supplemented by the fortress army, these three elements together formed a defensive organization capable of holding the army of an invading country in check pending the intervention of the other guarantor countries.

The expenditure sanctioned for fortifications had been considerable. To quote only the most recent one, an extraordinary vote of £2,520,000 was granted for the erection round Antwerp on both banks of the Scheldt of thirteen new forts and twelve new redoubts in the exterior line, for the completion of the twelve existing forts in the interior line, and the erection of two new forts for the defence of the lower Scheldt. A short time afterwards the expenditure was still further increased by another £160,000. The defences of the Meuse forts had meanwhile been completely equipped.

As to the effective strength of the army, it had consisted of 180,000 men until the reform of 1909-13; that is to say, sufficient, in the opinion

of the most competent military authorities, to play the part necessitated by the various requirements of the defence of the country as a whole. But since the modifications introduced in the strategic disposition of the neighbouring countries it had been manifestly insufficient. The Belgians did not hesitate to respond to the appeals made to them by their sovereigns. A campaign of public opinion was organized and the country accepted without demur the increase of army expenditure. In this way the effective strength of the first line, independently of the reserves, was to be doubled.

The ordinary annual expenditure on the army had risen from about £2,750,000, the average of the first decade of the present century, to £3,500,000 for the year 1913, an increase of approximately thirty per cent., due largely to the reform which, from 1909 onwards, had established the rule of every family providing a son for the military duties, and in 1913 had imposed general service. The organization of the higher commands of the army had at the same time undergone some important alterations.

Moreover, the experience of the present war shows sufficiently what the Belgian army was capable of.

In the first place it was concentrated and ready for action in so short a time and such perfect order that the German military attaché congratulated the permanent Secretary of the War Office on the performance. All the services were set up in less than five days from the time when the mobilization order was issued, with the result that the German troops, sudden as was their attack (the note of August 2d preceded the violation of the frontier by only thirty-six hours), were not able to throw the organization of the defence out of gear, and found themselves face to face with an army fully prepared. The destruction of bridges and tunnels which might have been useful to the enemy was completed, and all communications with the rear were secured.

As to the active part played by the army, from the very commencement of hostilities it has compelled the admiration even of the Germans. Alike in the sectors of the forts, in trenches in the open, and on the main lines of communication, rivers, canals, or railways whose passage had to be resisted, Belgian soldiers have sustained an unequal combat with a valour, bravery, and endurance worthy of the highest praise. And it is really farcical to denounce the military weakness of a country of which Germany had on August 9th

officially to acknowledge "the heroic resistance against considerably superior forces."¹

But none could foresee, that, under the fire of the heavy Krupp guns, concrete forts would form a less durable barrier than trenches in the ground, and when Antwerp was spoken of by the greatest experts as "the impregnable city" they did not think that they were using merely an empty phrase.

This fable of Belgium's being oblivious of her military duties must therefore be silenced once and for all.

But there is one aspect of the charges made by von Blume which is particularly ridiculous. How could one admit that Germany should have chosen for her chastisement of Belgium the very year in which the final reform of the Belgian army, already greatly strengthened since 1909, was to be completed? Germany never addressed any diplomatic remonstrances to Belgium on this subject; on the contrary, in 1912 the Emperor showed astonishment at the measures of defence taken by the Belgian Government when he received at Aix-la-Chapelle the Belgian General who had been sent to welcome him on behalf of the King. The truth is that Germany knew that Belgium had voted

¹ See page 113.

very considerable sums for her fortifications and military organization, and she was not unaware of the significance of this expenditure.

In this connection the Prime Minister, M. de Broqueville, described very clearly the meaning of Belgium's continued efforts, at the sitting of the Chamber on November 30, 1911, when he said:

Our forts and our army are the expression of our immutable resolve to remain a free and independent people. They are, as it were, the assertion of our national pride and the earnest of Belgium's participation in the task of maintaining the integrity of her territory as well as of her independence and national safety. We would scorn to lend ourselves to any arrangement that could be open to suspicion. We Belgians mean to remain Belgians, and for that very reason we mean to remain always loyal and honest patriots.

But I must waste no more time in coming to the specific allegations made against Belgium.

Hostile Acts before the War

Before the opening of hostilities no complaint was addressed directly to Belgium.

However, on July 31st, the German Secretary of State for Foreign Affairs, in conversation with the British Ambassador at Berlin, gave the

latter to understand that hostile acts had been committed by Belgium before that date. "For instance," he said, "a consignment of corn for Germany has been placed under an embargo already." Apart from this "instance" no other fact had then, or afterwards, been adduced.

On the same day on which this so-called hostile act was denounced at Berlin, the German Minister at Brussels addressed the following friendly request to the Minister for Foreign Affairs¹:

I am informed from Antwerp that the Customs have forbidden the despatch of vessels containing cargoes of grain for Germany.

In view of the fact that it is not in this case a question of the *export* of grain, but of grain in *transit*, the goods in question having been merely transhipped at Antwerp, I have the honour to ask your good offices in order that the vessels in question may be allowed to leave for Germany.

At the same time I beg your Excellency to inform me if the port of Antwerp is closed for the transit of those goods specified in the *Moniteur* of to-day.

On the following day, August 1st, the Belgian Minister replied²:

In reply to your Excellency's note of July 31st, I have the honour to inform you that the Belgian

¹ *Grey Book*, No. 79, Annex 2.

² *Ibid.*, Annex 3.

decree of July 30th concerns only the export and not the transit of the products mentioned.

I at once communicated your note to the Minister of Finance and begged him to issue precise instructions to the customs officials in order that any error in the application of the above-mentioned decree might be avoided.

And on the same day, so anxious were the Belgian Government to do nothing that could lend any colour to the suggestion that they were not friendly disposed, the liberation of the consignment of corn was authorized. The delay was due to a pure misunderstanding, and, moreover, as the Minister explained in a further letter to the German Minister,¹ it was merely a matter of customs formalities: there was no intention to hinder in any way the transit of the goods. The measures taken by the Belgian Government at this time merely constituted elementary precautions which it is the right and the duty of every State to take in such exceptional circumstances.

The "hostile act" therefore really reduces itself to a mark of "good offices," to use the very expression that was employed by the German Minister.

But this did not prevent the *Kölnische Zeitung*—that important newspaper whose correspondents

¹ *Grey Book*, No. 79, Annex 2.

have always received the most cordial hospitality at Brussels—from publishing on August 10th,¹ an article headed “Belgian Neutrality” from which I quote the following extracts:

Our enemies allege that in entering Belgium we violated the so-called Belgian neutrality. What this so-called neutrality has really been is plainly shown by a series of actions of which the following is an instance.

Here follows a flagrantly misleading account of the incident, and the article concludes:

This violation of international law occurred on Friday, July 31st, two days before Germany sent her ultimatum to Belgium. The first act of illegality and of unfriendliness in the highest degree (*widerrechtlich und im höchsten Grade unfreundlich*) was therefore committed not by Germany but by Belgium.

To quote another charge, it is hardly necessary to point out the fantastic nature of the other assertion made by a well-known German Member of Parliament, Herr Erzberger²:

In the morning of August 2d, the Landsturm at Aix-la-Chapelle were called out. The troops fought all day and all night against the French and Belgian soldiers who on Sunday were already advancing

¹ No. 901.

² See extract from the *Tag* reprinted in the *Berliner Tageblatt* of October 7th.

through our woods as far as the road called *chemin des Prussiens*.

When it is remembered—among a hundred other things—that on the night of August 2d–3d the German Minister at Brussels had not been able to furnish the General Secretary of the Department of Foreign Affairs with anything more than very vague indications of an alleged violation of frontier committed by French troops in Germany, when it is remembered that the first act of war took place at Gemmenich in Belgium on the morning of August 4th, one wonders which is the more astonishing, Herr Erzberger's powers of imagination or the tenacity of the *Berliner Tageblatt* which still publishes this story on October 7th, two months after the outbreak of hostilities.

Similarly it has been alleged that various measures taken before there was any question of a threat from Germany reveal the warlike intentions of Belgium.

This is what the *Kölnische Zeitung* of August 28th¹ calls a "proof" (*ein Beweis*):

A Proof of Belgian Neutrality

A non-commissioned officer who accompanied a convoy of Belgian prisoners to Münster has sent us

¹ No. 967.

a coloured chart given to him by a prisoner. In this chart are shown, standing fraternally side by side, in three rows, Belgian, French, and British soldiers of all arms in coloured uniform. The Belgian prisoner assured our informant (who guarantees the accuracy of his story) that these charts had been distributed to all Belgian soldiers three days before the official mobilization, with instructions that they should study them carefully. The French and British soldiers, with whose appearance they were to familiarize themselves from the pictures, were to be their allies in the coming war.

I am sorry for the sake of the man who "guaranteed" the accuracy of this story, to have to assure him, on the authority of official information, that the charts in question were first distributed in the course of the second week of the month of August. I will further inform him that at the same time pictures showing the differences between the various types of *aéroplanes* were distributed and posted up in a similar way.

Then there is another little episode, the story of which was sent on September 9th to the *Nord-deutsche Allgemeine Zeitung* by a gentleman of responsibility whom I should never have thought likely to consecrate to this purpose the time that he lately used to employ more worthily when he won general popularity as Director of the German School at Antwerp.

I learn from Mme. Fr., wife of the *Oberlehrer* of that name, who did not leave Antwerp until the beginning of the month, that all the rooms of the German school, including the director's apartments, are used as barracks for the Belgian army. This leads me to communicate to you a fact which is perhaps not without political importance. About the middle of June of this year a police officer came to the school and at the beginning of July an officer of the Belgian army also came (in each case in the absence of the director) to inspect the rooms in the school. In answer to an enquiry from us, the reply was given on both occasions that it was a question of deciding how many soldiers could be billeted in the school. At the second visit, the statement was made that the school could house a battalion, including the regimental staff. In the course of the twelve and a half years of my work at Antwerp, such a thing has never happened before at the school. It is a curious coincidence that these enquiries should have been made, the first six weeks and the second four weeks, before war broke out, and one which admits of the inference that in Belgium the authorities already reckoned on war and on the occupation of the school by troops.

The gentleman who makes this grave disclosure perhaps did not know that a census is made periodically of places available for billeting troops in case of war. If—to his knowledge at any rate—his school had not before been included in the census, this was because, in consequence of the

reform of the army and the marked increase in its strength in 1913, the need arose to make more extensive accommodation available and a new general census became necessary.

Another correspondent of the *Kölnische Zeitung* discovered¹ that, during the course of last June, the authorities made an investigation at Antwerp as to what places could be used by the various branches of the public service in case the Government had to take up its quarters there. Perfectly true: this operation, called "civil mobilization," had been arranged long beforehand and was the subject of a very complete *dossier* in the Ministry for Foreign Affairs which had given rise from time to time to various practical steps for the execution of the plan.

The readers of the great Rhenish newspaper will also learn with interest that long before the Austro-Servian dispute, the Belgian General Staff had studied the possibilities of provisioning the town of Antwerp on the hypothesis that it might become the seat of Government in time of war.

Innumerable other matters had also been the object of study long before with a view to preparing the fortress of Antwerp, in time of peace, to play the part that had been assigned to it in the

¹ No. 1046, September 20th.

plan of defence of the country. None of these studies had any connection with the war that broke out last year. They merely represent measures of precaution which must be taken by every government that is anxious to ensure that its country shall not be caught unprepared in a war, and, moreover, they prove once more how unjust is the complaint made nowadays against Belgium that she did not take sufficient precautions for the defence of her neutrality.

It is incredible that such measures could furnish grounds of complaint against a country which, after all, has not been put in tutelage, and remains mistress in her own house.

Subservience to France

In the proclamation addressed to the Belgians on August 4th by General von Emmich, Commander-in-Chief of the German Army of the Meuse, at the moment when his troops crossed the frontier, the violation of the territory is justified by quite a new reason. It will be remembered that the "Very Confidential Note" of August 2d alleged the concentration near Givet of masses of French troops whose advance it was necessary for Germany to anticipate. Nor on the other hand will the categorical explanation be forgotten that was

given by the Secretary of State at Berlin: Germany, threatened simultaneously by France and Russia, had to choose the easiest route in order to gain time, and this route was through Belgium.

The proclamation says something different:

I feel the greatest regret that the German troops find themselves obliged to cross the frontier of Belgium. They act according to the dictates of inevitable necessity, Belgian neutrality having been already violated by French officers, who, disguised, crossed Belgian territory in a motor car in order to penetrate into Germany.

A variant is given on August 9th by General von Bülow, Commander-in-Chief of the Second German Army. The following is the text:

We have been obliged to enter Belgian territory in order to safeguard the interests of our national defence.

We are fighting the Belgian army solely to force a passage towards France which your Government has wrongfully refused to us although they have allowed the French to make a military reconnaissance, a fact which your papers have concealed from you.

No particulars are given, it is all bare assertion.

Similar wanton statements are made in the official communiqué (*amtlich*) of Quartermaster-General von Stein on August 18th¹:

¹ See, for instance, *Leipziger Neueste Nachrichten Sonder Ausgabe*.

We have received information that before the war French officers and perhaps also soldiers were sent to Liège to instruct the Belgian army in working the forts. Before the commencement of hostilities there would be nothing to criticize in this, but after the outbreak of the war it constituted a violation by France of Belgian neutrality. Also we had to act quickly.

The futility of this accusation is obvious to any one. Belgium had had modern fortifications and military engineers of European reputation for long enough not to need to have recourse to foreign instructors. But it is always only a question of bare assertion not open to any critical test.

The only corroborative details adduced at a later date by the *Kölnische Zeitung* of August 26th,¹ at a time when almost the whole of Belgium was occupied, are as follows. I reproduce them textually.

Belgian Neutrality

We have received the following letter from a firm at Cologne:

"I am in a position to communicate to you a fact which shows the curious conception that the Belgians in general have of their neutrality. Their formula is 'Our sympathies draw us towards France,' an expression that I heard over and over again at the end of July from the lips of business

¹ No. 959.

friends. On the evening of Sunday the 2d inst., about 8 or 9 o'clock, when Belgium had already been mobilizing for some days, I met in the neighbourhood of Charleroi station Monsieur D., of the firm A. Ch. He told me in confidence that he had just seen at the station arriving from Namur a military motor car containing five or six French officers, in uniform, looking greatly upset. They had got into the nine o'clock train for France. To my remark that these officers ought to have been arrested since a state of mobilization existed, he made some vague response, but he admitted in a somewhat veiled way that if these officers had been German they would have met with short shrift.

"We would point out to you particularly that the gentleman in question is a person of most upright character so that we can guarantee the genuineness of the communication. We have not given the names in full, but they are at your disposal if you wish."

This information is second-hand. But the *Norddeutscher Allgemeine Zeitung* has published seven depositions made by witnesses before German judges, and these were reproduced in the *Journal of the War*.¹ These seven depositions are in agreement on one point, namely, the presence of French officers or soldiers in Belgium at a period anterior to the war—even as far back as 1911. But they vary as to places and circum-

¹ November number, pp. 16 and 17.

stances. One says Charleroi, another Erquelines, another the Ougrée road, another Brussels, another Quiévrain. I do not wish to suggest that the witnesses whose declarations are reported did not say what they thought to be the truth, but various facts within my knowledge lead me rather to the conclusion that mistakes have arisen. Thus at Gand, in the first days of August, a Belgian barrister thought he saw French officers in a motor car; as a matter of fact these were officers of the "Marie Henriette" regiment of Brussels mounted civic guard. Another resident at Gand, whom I know personally, mistook two officers of the Belgian Military Engineers for two French officers. In fact the uniforms of troops quartered in unusual places were largely unfamiliar to the public. At Brussels on August 3d—that is to say after the German Note—a French soldier on furlough who had been recalled by mobilization orders was carried in triumph by the crowd on the Boulevard Anspach: of course he was unarmed. The day before, some French soldiers, also on furlough—as is usual each year at the time of the national holidays, when the sons of the numerous French families visiting in Brussels are coming home—had been cheered by the French "habitués" of a café on the Boulevard Anspach on their way to

the Southern Station, where they took the train for France. Similarly, at Brussels the French Military Attaché continued to walk about in uniform. Lastly, Belgian soldiers of the regiments of Guides wear red trousers and are hardly known at all except to the people of Brussels. It is obvious that many other similar confusions may have arisen.

The official communiqué (*Ämtliche Mitteilung*) sent from Berlin on August 3d to the German press looks more serious.¹ It contains the following sentence which essays yet another different justification of the violation of Belgian territory by Germany:

French bomb-throwing aëroplanes have violated Belgian neutrality and flew over Belgian territory yesterday (Sunday, August 2d) evening on their way to the Rhine Province to destroy our railway lines.

The communiqué went the round of the press to such good effect that in the pamphlet *Die Wahrheit über den Krieg* ("The Truth about the War"), published by a body of well-known men, one may read to-day² that masses of French aëroplanes (*Massen von französischen Fliegern*) flew over Belgium.

¹ See, for instance, the *Kölnische Zeitung*, No. 882 of the 4th of August.

² Second edition, p. 28.

Although it did not receive the seal of official authority another imputation made by the *Kölnische Zeitung*¹ is none the less worth quoting:

We learn from an eyewitness that before the issue of the ultimatum, a French *aéroplane* came to ground at Antwerp without being seized by the Belgians.

The gravity of these assertions had demanded clear and precise details, with the mention of localities, hours, witnesses, the circumstances in which they assured themselves of the presence of aviators, the proofs that they had of their French nationality, etc. A comparison may usefully be made with the very vague text of the curious declaration that the German Minister at Brussels made on the night of August 2d-3d to the General Secretary of the Department of Foreign Affairs.²

Now, the Government of the French Republic, in their official statement of August 4th to the Chamber of Deputies, gave a categorical denial to the German communiqué. "At no time has any French aviator penetrated into Belgium," runs the statement read by the President of the Council.

¹ No. 901, August 10th.

² See p. 61.

So true is this that the French Minister at Brussels went on August 4th in the afternoon to the Ministry for War, after having already received news of the violation of the Belgian frontier by German troops, to ask permission for French Military aviators to fly over Belgium. It was not until the day after that a definitive reply could be given to him, after the appeal was sent by Belgium to her guarantors. At this time, however, the violation of the frontier was already an accomplished fact.

Here is another series of imputations. They have an aim which is altogether beside the question, namely, to justify the action of Germany by adducing facts which are supposed to have taken place before the opening of hostilities but could not have been known to the German authorities at the time when the "Very Confidential Note" of August 2d was presented. These facts are wholly irrelevant and I only recall them here in order to show the pains that the organs of German public opinion take to defend the violation of Belgian neutrality. Moreover one date dominates all these allegations. It was on July 29th that the Imperial Chancellor, in his conversation with the British Ambassador at Berlin, announced for the first time that, in the event of a conflict with France

Germany would only respect the integrity of Belgium if she did not resist the free passage of German troops across her territory. There was no question then of reprisals against Belgium any more than there was any question of them in the very clear explanations given by the Secretary of State to the Belgian Minister at Berlin on the day of the rupture of diplomatic relations.¹

The *Berliner Tageblatt*, quoted by the *Kölnische Zeitung*,² asserts that there existed at the British Foreign Office evidence that the plans of French mobilization indicated an *accord* between Belgium and France by the terms of which Belgium was to grant to France free passage for her troops in order that they might penetrate into the heart of Germany.

And in support of this unsubstantiated assertion the Berlin newspaper reports such gossip as the following:

France and Belgian Neutrality

A German who has lived fifteen years at Paris and is thoroughly familiar with the distinctive signs of the French Army, assures me of the following fact, which he is ready to repeat if desired. On the morning of August 3d, that is to say the day before the expiry of the German ultimatum to Belgium,

¹ See p. 64.

² No. 793, September 8th.

some acquaintances of his told him that they had seen some French troops in the early morning at the Southern Railway Station at Brussels. Since this seemed to him incredible, my informant, who guaranteed the authenticity of the story, went himself at 3 o'clock in the afternoon to the same place and actually saw two French infantry regiments encamped there.

Evidence of a similar occurrence on the same day in another part of Belgium has been given by a young German governess who had a situation with a Belgian family on an estate situated beside the railway line from Bouillon to Paliseul, and therefore near the French frontier in the neighbourhood of Sedan. This governess, as well as the German nurse who accompanied her with the children, on this same morning of August 3d, about 9 o'clock, saw a French cavalryman asking the inhabitants what was the nearest village. Two hours later a young dairymaid came from the village to the estate and announced that French troops had already entered the village. I can give at any time the names and addresses of these witnesses, with their consent. These two pieces of evidence show clearly that neutrality had been violated on the side of Belgium even before the expiry of our ultimatum. Thus do the proofs of the illegal acts committed by Belgium and her accomplices accumulate.

The *Kölnische Volkszeitung* returns to the charge two days later.¹

¹ No. 799, September 10th.

Belgian Neutrality

We have received the following letter:

"While . . . I have had frequent occasion recently to question refugees on their lot and on the situation in Belgian villages, a lady of position told me among others that, as early as August 2d, French officers were at Brussels in great numbers. On my objecting that she might have made a mistake and taken Belgian officers for French officers, she replied emphatically that that was quite impossible. In consequence of her residence of many years duration in Belgium and in particular at Brussels, as well as by reason of her position in society, she was sufficiently well informed on the subject to appreciate the difference. Besides, the presence of the officers had caused a sensation among the populace, a fact which excluded all possibility of her story being based on a mistake. Unfortunately, in the whirl of events, the name of this lady has escaped me. If these lines come now to her notice, she will do a service to the country if she will personally relate the facts given above to the responsible authority."

The reader who has noted carefully the succession of events, only culminating on August 4th in an appeal for the intervention of the guarantor Powers, will have already done justice to these figments of the imagination of the correspondents of the two German newspapers. In particular he will remember the refusal by Belgium of the

French offer of military assistance on August 3d—which took place, by the way, on the very day on which the time limit fixed by the German Note expired, and not the day before, as stated by the correspondent. On this day the German Minister and the German Military Attaché were still at Brussels. I suppose I can hardly appeal to their honesty to bear out the complete inaccuracy of every allegation designed to establish the presence of French regiments or officers at the Southern Railway Station or elsewhere.

The *Kölnische Zeitung* leaves its readers in ignorance of the real facts, and, on September 12th, it still contents itself with the categorical assertion that Belgium had long ago opened her fortresses to French soldiers and her frontiers to the General Staffs of the Republic.¹

I am almost ashamed to reproduce so puerile a document as the following.²

An Interesting Communication

A correspondent writes:

“Before the outbreak of war I was for three and a half months in Belgium as a voluntary worker in the office of a barrel manufactory at Tournai, a town which is situated near the French frontier

¹ No. 1019.

² *Kölnische Zeitung*, No. 972, August 30th.

and not far from Lille. About the middle of June the *maître d'armes* of the garrison of this town (of about 3000 soldiers) came and asked to speak privately to our Chief. Afterwards the latter told the office with much amusement that the *maître d'armes* had asked him whether he would be willing to sharpen the swords of the garrison by means of his machine for sharpening his saws, whether it could be done quickly, how many swords could be sharpened a day, and what the cost would be. The Chief had refused. It was thought in the office that this might be an indication that war was certain, anyhow from this time onwards there was frequent talk of the possibility of a war.

"This is yet another proof that war was not made inevitable by 'Germany's unbridled aggression' but was arranged long before by our enemies."

That such nonsense could be accepted by an organ of authority really passes all understanding. And I will not prolong this disquieting catalogue by quoting the statement of the *Norddeutsche Allgemeine Zeitung* of November 17th regarding the sitting of the Municipal Council of Onnain, near Valenciennes.

Once and for all let it be considered as established, in the eyes of every honest person, that before the evening of August 4th there was no question, either immediate or remote, either in word or in deed, of admitting French officers or soldiers onto Belgian territory. It was only then

that the Permanent Secretary of the Belgian War Office asked the French Military Attaché to arrange without delay for the French troops to establish contact and to co-operate with the Belgian troops, and it was then only that the order was given to the military governors of the provinces not to regard the movements of French forces on Belgian territory as acts of violation of neutrality.¹

Moreover—and this is conclusive—Belgium had drawn the scheme for concentrating her army with strict regards to the obligations of her neutrality, namely one division facing England, two divisions facing France, owing to the length of the French frontier, and one facing Germany. Now the army kept these positions until the night of August 3d-4th, when it became certain that Germany meant to force a passage through Belgium, viz., more than twenty-four hours after the reception of the German Note.

But it is alleged that long before the present war Belgium had come to an understanding with France with a view to military operations against Germany (*sich schon seit Jahren zum Nachteil Deutschlands mit Frankreich ins Einvernehmen gesetzt hatte*²). In particular, evidence of this is

¹ *Blue Book*, p. 98.

² *Kölnische Zeitung*, No. 1260, November 19th.

thought to be found in a remark made by the Belgian Minister for War, M. de Broqueville, in the course of the secret session of Parliament to which I have already alluded.¹ After having pointed out the dangers by which Belgium was threatened, the Minister said:

Those are the reasons why we must beware of Germany. . . . I have no fear of a violation of Belgian neutrality on the part of France; but she is bound to make dispositions to meet the contingency of the passage of the Germans through Belgium.

"There," cries the *Kölnische Zeitung*, "is another link in the chain of evidence" (*Ein Glied mehr in der Kette der Anzeichen*). But the newspaper passes lightly over the sentence which followed immediately after that quoted above, and which serves to focus what was in the mind of the Minister:

In order to anticipate every possibility we must make preparations on both sides and must make them quickly.

There is one typical fact which might be set against the imputations that aim at representing Belgium as having a military *accord* with France before the present war. Why has the German press never pointed out that all Belgium's supply

¹ P. 22.

of artillery, both guns and ammunition, as well as part of her other war *matériel*, comes from Germany? At the most the Krupp works allowed some Belgian factories to co-operate in the manufacture of certain guns and projectiles. At the time of the outbreak of war delivery was awaited of a considerable part of the following orders which had been entrusted to Krupps with the co-operation of Belgian firms:

30,000 universal shells (7.5 cm.).

18,000 fuses with detonators.

70,000 double-acting fuses.

4 eclipse guns (28 cm.)

4 embrasure guns (28 cm.)

In addition various orders had been placed with other German firms such as Werner, Siemens & Halske, Siemens & Schücker, Ehrardt, etc.

If Belgium had contemplated military co-operation with France, would she not have given her orders to French firms? Moreover, during the course of the war, a highly critical situation arose for the Belgian army. Not having received from Germany all the expected deliveries, and, on the other hand, having been obliged to transfer into France its base of operations together with all its elements of production, it found itself amongst ammunition of a quite different type from its

own. And it was only after serious study of the matter by Belgian and French engineers that a way was found of solving the complicated problem of supplying the Belgian army, equipped with German *matériel*, with munitions of a somewhat modified French type.

A similar difficulty presented itself as regards rifle equipment. Taken by surprise, in the middle of a complete army reorganization, Belgium did not possess a sufficient number of rifles at the moment of the outbreak of hostilities. This shortage led her to make demands on France, after the war had begun, notably for 10,000 Lebel rifles and 1000 rounds of ammunition per rifle. These rifles were distributed among the soldiers of the fortress of Antwerp. This circumstance affords a very simple explanation of a fact that has been construed against Belgium by the *Tägliche Rundschau* of October 15th. The Germans had found a French rifle in the hands of a Belgian soldier; they proceeded to allege that the "Belgian cartridges," carried by the soldier, corresponded with the bore of the "French rifle" and drew the conclusion from all this that an agreement existed between Belgium and France. The Belgian Government issued in November a formal *démenti* in a communication made by their Minister at

The Hague: all the cartridges with which the Belgian troops were armed at the time of the outbreak of war were of Belgian manufacture and none of them corresponded with the bore of the French Lebel rifle, which they obviously did not fit.

As regards the question of military relations between Belgium and France, it is perhaps worth while to recall a small point here. Two years ago the scheme of the annual manoeuvres of the Civic Guard in Ghent was based on the hypothesis that a French army which had violated the Belgian frontier was marching on the town. And many other tactical schemes worked out by the General Staffs of the Army or the Civic Guard implied a similar contingency.

Moreover, from the day on which the Franco-German conflict broke out, the Belgian authorities took many additional measures which testify to the complete independence of Belgium in her relations with France, no less than in her relations with Germany. On Sunday, August 2d, before the "Very Confidential Note" was known, the Belgian Government ordered the seizure of a Brussels newspaper, *Le Petit Bleu*, which had published an article entitled "Long live France! Down with German barbarism!" the Brussels correspondent

of the *Kölnische Zeitung* himself reported the fact.¹

In another telegram sent to that German paper by the same correspondent, an order of the Burgomaster of Brussels was quoted to the effect that all manifestations either of sympathy or of hostility were forbidden; and during the afternoon of the same day some people who went about the streets of the capital waving a French flag and singing the *Marseillaise* were at once dispersed by the police.

Again, on the day before these occurrences, that is to say August 1st, the circular given below was telegraphed to the Governors of Provinces as a result of a meeting of the General Secretaries of the various Government Departments.

In the midst of the events that are imminent, Belgium has determined to defend her neutrality. That neutrality ought to be respected, but it is the duty of the nation to take for this end all measures that the situation requires. It is important therefore that the populace should join their efforts to those of the Government in avoiding any manifestation of feeling of such a nature as would be likely to involve the country in difficulties with one or the other of its neighbours. To this end it is desirable that Mayors should immediately issue notices forbidding all meetings which could have for their

¹ No. 879.

object the manifestation of sympathy or antipathy towards one country or the other. It is equally important that, by the application of Article 97 of the Communal Law, Boards of Mayors and Aldermen should prohibit all cinematograph entertainments showing military scenes of a kind calculated to excite the passions of the people and to provoke popular excitement that would endanger public order. Governors will kindly take immediate steps to have these instructions carried out without delay.

It is not only from the military point of view that Belgium and France are said to have thrown in their lot together. The *Kölnische Zeitung* in its issue of October 23d denounces an economic agreement:

Since the spring of 1913 French agents in Belgium have been draining away all coin and have been offering notes in exchange on advantageous terms. It was in consequence of these measures that the Belgian Government found themselves compelled to issue five-franc notes. We have seen a specimen bearing date July 1, 1914.

The Belgian Government have done nothing to check the drain of silver money and have thus financially facilitated the military preparations of France.

This piece of news is the result of putting in juxtaposition several facts, each of which is

quite accurate, but it is none the less quite false as a whole.

First, it is true that during the period preceding the war a drain of five-franc pieces from Belgium to France took place on a large scale.

Secondly, it is also true that the coins thus drained were replaced in circulation by bank notes.

Lastly, it is true that the first five-franc notes issued by the National Bank with the sanction of the Belgian Government bore date July 1, 1914.

But. . . .

If there was a flow of five-franc pieces from Belgium to France, the reason was simply the alteration of the rate of exchange between the two countries. This curious traffic, well known to those who are familiar with financial and money matters, has now been going on for a long time, as it went on in Switzerland about 1900. It is quite natural that it should be accentuated when the rate of exchange moves against Belgium. It costs the National Bank a sum amounting to several millions of francs a year to get five-franc pieces back into the country. Also it has constantly been the Belgian policy to put every possible obstacle in the way of dealing in five-franc pieces. And if any distinction can be drawn between the period that preceded the war and other periods, it lies

precisely in the exceptional revival of such preventive measures. By virtue of a provision of 1822, a Royal decree of February 27, 1914, prohibited the export of silver coins otherwise than by railway; a customs duty of 5% has been imposed on their export, the amount of which absorbed all profit on the deal; petty inconveniences were multiplied in the hope that those responsible for the drain might get tired of the business. This contest of ingenuity between the State and the dealers filled the Press and cannot have escaped the attention of the Brussels correspondents of the great German newspapers.

This disposes of the first point. Let us now pass to the second.

What took the place of the five-franc pieces was in no case notes of the same amount, for there were none in circulation, but Belgian notes of various denominations, twenty francs and upwards, which those who were responsible for the drain presented at the counters of the National Bank in order to obtain the coveted coins.

As to the third point, it is an open secret that for some years past the Directors of the National Bank have been apprehensive of the possible consequences of a European conflagration on the Belgian coin circulation. Since 1870 an important

step had been taken: the free coinage of silver was suspended and the Latin Convention was concluded. This situation necessitated new precautions which it was not necessary to consider in 1870-71. At the time of the Morocco crisis of 1906 the question of making five-franc notes was considered. But Government sanction had not yet been given. Two lines of thought became manifest on the subject, apart from the private apprehension of the Directors of the National Bank. On the one hand the public wanted five-franc notes to be put into circulation, precisely because of the continued scarcity of the coins and also on account of the latter's practical inconvenience. On the other hand experts in financial and monetary problems opposed this desire, basing their attitude on considerations of indisputable weight. Under the pressure of these divergent tendencies it was decided at the end of the first six months of 1914 to arrange for an issue of five-franc notes. A first Royal decree sanctioned the making of the notes with the stipulation that a second decree must be obtained at the time when the Bank considered that it was advisable to put them into circulation. The events of August 2d and 3d brought matters to a head and a new decree was at once obtained to sanction the issue.

The notes which had been made were undated, on account of the provisional nature of the first decree, and it was decided to print on them the date of July 1st, so as to take into account the approximate average time necessary for their manufacture. Exactly the same thing has happened in Switzerland, where five-franc notes, bearing date August 1, 1913, were put into circulation at the beginning of the war.

The facts to which the German newspaper calls attention really form an entirely different concatenation of events from that in which they are presented, and, as a matter of fact, do not give any ground for the slightest criticism or the faintest suspicion of the Belgian Government.

Those who know the economic history of the last few years, moreover, will not fail to remember that, at the time when Belgium was accused of having thrown in her lot with France, the fact was, on the contrary, that certain grievances had just created a coldness between the Belgians and their neighbours. On March 29, 1910, the French Government passed a law revising the customs tariff then in force and raising the import duties by an appreciable amount on a number of manufactured articles. These protectionist measures directly affected a large number of Belgian indus-

tries. Also they deeply stirred public opinion in the country and gave rise to real discontent. The Press took up the question and a campaign was undertaken with the object of inducing the Government to take reprisals. In particular it was suggested that duties should be raised so as to hit French wines, books, and newspapers for which there is a large market in Belgium. It was even said that a bill was under consideration and was to be introduced at once. Although this bill never saw the light, the excitement created in industrial circles continued unabated for some time and only subsided very slowly.

Subservience to England

The German press like, in the polemics that they are carrying on, to draw a distinction between the Belgian people and their Government. The latter, they say, yielded to England's overtures and misled public opinion in order to make herself an accomplice of the British nation, who, according to Germany, instigated the coalition.

On August 21st Quartermaster-General von Stein explained in an official *communiqué* that the offer of an understanding made to Belgium after the battle of Liège constituted a new effort to "bring back Belgian public opinion, which had been led

astray." On the same day the *Lokal Anzeiger* of Berlin said:

The Belgian Government have now received the punishment of their obstinacy. They obeyed the orders of England and preferred bloodshed on an awful scale, while England kept carefully out of the way, to a friendly understanding with Germany. Belgium has got her reckoning; John Bull will have his very soon.

The same note is struck by Professor Harnack, amongst others, in a letter reprinted by the *Süddeutsche Nachrichtenstelle für die Neutralen*, and by Professor A. Löffler of Vienna in various articles,¹ as well as by the *Norddeutsche Allgemeine Zeitung*,² and on October 20th by a correspondent of the *Berliner Tageblatt*, who, after describing the lamentable condition of the inhabitants of a region devastated by the war, adds: "Poor people, whose country proved a step-mother to them."

It would be easy to meet this way of presenting the case by pointing to the enthusiastic unanimity of Belgian public opinion in the decision to resist. No one in this country would ever have thought it possible that there should be agreement so spon-

¹ See, for instance, *Neue Freie Presse* of October 19th, *Volksrecht* of November 17th, and *Neues Wiener Tagblatt* of November 29th.

² No. 250, October 13th.

taneous—and, let us add, five months after the opening of the war, a so lasting one—among people of every shade of opinion. There was nothing forced or artificial in this irresistible manifestation of feeling; the Nation was moved to the very depths of its being.

But let us get to closer grips with this charge. England is held responsible for the Belgian resistance and in particular for the vigorous attitude of King Albert. The allegation even goes into detail and the name of Lord Curzon is given as that of the intermediary between the British Government and the King. Actually, Lord Curzon did not communicate with King Albert until the day after that on which a Zeppelin dropped bombs on Antwerp in the proximity of the Royal Palace. He then wrote a letter to the King offering one of his residences for the Royal family; he sent a picture of it accompanied by a description published in an English magazine. It is simply and solely the announcement in the Belgian press of this kind action on the part of Lord Curzon that has led certain German newspapers to attribute a political rôle to Lord Curzon.

None of these hypotheses will stand an impartial examination of the facts.

So far was England from holding the strings of

a conspiracy in which Belgium was to have been one of the puppets, so far was she from urging Belgium to resistance that, on July 31st, at the time of the visit paid by the British Minister at Brussels to the Belgian Minister for Foreign Affairs,¹ the former was surprised at the promptness with which Belgium had put her mobilization in train. The Belgian Minister reports the incident in the following words²:

In the course of the ensuing conversation, Sir Francis seemed to me somewhat surprised at the speed with which we had decided to mobilize our army. I pointed out to him that the Netherlands had come to a similar decision before we had done so, and that, moreover, the recent date of our new military system, and the temporary nature of the measures upon which we then had to decide, made it necessary for us to take immediate and thorough precautions. Our neighbours and guarantors should see in this decision our strong desire to uphold our neutrality ourselves.

Sir Francis seemed to be satisfied with my reply, and stated that his Government were awaiting this reply before continuing negotiations with France and Germany, the result of which would be communicated to me.

There is another fact which is still more conclusive.

We have seen³ that from July 29th England

¹ See p. 29.

² *Grey Book*, No. 11.

³ Page 91.

was aware of the unfavourable attitude of Germany towards Belgium. She said nothing about it to Belgium. She informed her, as we have seen, that she was continuing to negotiate with France and with Germany and that she would make a point of communicating the result to her. Would she have acted with this discretion if a convention or an *entente* or any arrangement whatever had existed between the two countries? It was only—this point should be noted—on August 5th, after the request for intervention addressed by Belgium to England as a guarantor Power that the latter replied¹ that she

considered joint action with a view to resisting Germany to be in force and to be justified by the Treaty of 1839.

Later, on August 10th, after the occupation of Liège, when Belgium had already received from Germany the invitation to an understanding to which we have already had occasion to refer,² no one dictated to Belgium the negative reply that she gave. Keeping strictly and exclusively to the point of view of loyalty to her international obligations, she refused to consider the suggestions that were submitted to her. To enter into negotiations with

¹ *Grey Book*, No. 48.

² See p. 113.

the Power who had violated her neutrality to the detriment of those Powers who had respected that neutrality would have been in manifest contradiction to the cardinal rule of Permanent Neutrality. To consent to discuss matters with the Power who had played fast and loose with the very life of the nation in order to satisfy her own political ambitions would have roused the country's sense of right into an outburst of popular indignation. Having thus adopted, in the exercise of unfettered sovereignty, the attitude dictated by the sense alike of their obligations and of their dignity, the Belgian Government proceeded, as a matter of courtesy, to impart their intentions to the Powers who had responded to their appeal. On the same day, August 10th, the Minister of Foreign Affairs at Brussels made the following statement to the British, French, and Russian Ministers¹:

I have the honour to inform your Excellency that the Belgian Minister at The Hague, at the request of the Netherlands Minister for Foreign Affairs, has forwarded to us the following proposal from the German Government.

The Belgian Government propose to return the following reply to this communication:

"The proposal made to us by the German Government repeats the proposal formulated in their

¹ *Grey Book*, No. 65.

ultimatum of August 2d. Faithful to her international obligations, Belgium can only reiterate her reply to that ultimatum, the more so as since August 3d her neutrality has been violated, a distressing war has been waged on her territory, and the guarantors of her neutrality have responded loyally and without delay to her appeal."

The Belgian Government consider that the Powers guaranteeing the neutrality of Belgium should have cognizance of these documents.

On the following day, August 11th, the British Minister handed in at Brussels the following note, simply recording the approval of his Government:

I have telegraphed to Sir E. Grey the German communication and the draft reply.

I have been instructed to express to Your Excellency the entire approval of His Britannic Majesty's Government. That Government cannot but declare themselves in accord with the terms of the reply that the Belgian Government propose to give to an effort to sow disunion among the countries now united for the defence of the treaties violated by Germany.

The simple record of events in their chronological order is therefore sufficient to demonstrate how baseless is the opinion inaccurately reprinted in the *Kölnische Zeitung* of October 23d after a Dutch paper.

Three days before the beginning of the war Sir E. Grey gave the Belgian Government to understand that he hoped they would do all in their power to ensure the observance of their neutrality. He promised the support of England and the Allies as soon as Germany entered Belgian territory, on condition that Belgium would participate in common action with a view to resist the violation of neutrality. Belgium accepted. From that moment she formed part of the Entente; she was no longer fighting exclusively for herself.

All this is literally contrary to the facts:

(1) It was on August 4th, the day of the first act of war in Belgium and not "three days before the beginning of the war," that Sir E. Grey informed Belgium of the intentions of England.¹

(2) This proposal was made equally and at the same time to Holland and Norway.²

(3) It was made to Belgium with the reservation that it was only applicable in the event of the neutrality of that country being violated.³

(4) It was cancelled by England almost immediately after being formulated, as soon as she learned of the violation of Belgian neutrality by Germany and so Belgium had neither to refuse nor to accept it.⁴

(5) England did not define her attitude to-

¹ See p. 109.

² *Ibid.*

³ See p. 110.

⁴ See p. 119.

wards Belgium until after the latter had, on the evening of August 4th, asked for the intervention of the Powers on whom she could still rely.¹

(6) From this moment, it is said, Belgium formed part of the Entente. Not in the least. She has never ceased to fight for the vindication of her own outraged rights. If to-day Belgium is fighting side by side with England and France, that is because the aggression of which she was the victim has welded their cause to her own. That was in the very nature of things, for, to quote the striking words of Rivier, "a guarantee treaty *ipso facto* implies a contingent alliance."²

The new President of Switzerland, M. Motta, who was elected in December, 1914, expressed a similar sentiment when he said in a recent interview published in the Swiss press on December 27th:

From whatever side an attack may come, if it is to come, the aggressor will be the enemy of all the Swiss, and the Swiss Army will at once go to swell the ranks of those who are already fighting against the aggressor whoever it may be.

¹ See p. 79.

² *Principes du droit des gens*, vol. ii., p. 101. See also Heffter, translation in French by Bergson, *Droit international public de l'Europe*, § 145, and Westlake, *Notes sur la neutralité permanente* in the *Revue de Droit international*, 1901, pp. 390, 395.

The argument here discussed has as little substance as one to which a German newspaper, the *Vossische Zeitung*, gave circulation. According to the argument of the latter, participation in an international conflict would be inconsistent with a state of permanent neutrality.

To maintain that Belgium is participating to-day in an international conflict is a complete distortion of facts. The Belgian army has defended and is defending the national territory; in this defence she is, in the nature of things, led to "concerted and joint action"¹ with the armies whose object it is to repel the invader. This seems, indeed, to be axiomatic.

Further, the intervention of England in the European conflict, and her relations with Belgium, formed the subject of a very frank statement by the British Prime Minister, Mr. Asquith, in the course of the sitting of the House of Commons on August 6th. After recalling the attitude of Germany towards Belgium as explained on July 29th by the Imperial Chancellor to the British Ambassador at Berlin,² Mr. Asquith said³:

Let the House observe the distinction between those two cases. In regard to Holland it was not

¹ See p. 80.

² See p. 91.

³ *Blue Book*, p. 100.

only independence and integrity but also neutrality; but in regard to Belgium, there was no mention of neutrality at all, nothing but an assurance that after the war came to an end the integrity of Belgium would be respected. And these assurances the Chancellor hoped might form the basis of an understanding between England and Germany.

What does that amount to? Let me just ask the House. I do so, not with the object of inflaming passion, certainly not with the object of exciting feeling against Germany, but I do so to vindicate and make clear the position of the British Government in this matter. What did that proposal amount to? In the first place, it meant this: That behind the back of France—they were not made a party to these communications—we should have given, if we had assented to that, a free license to Germany to annex, in the event of a successful war, the whole of the extra-European dominions and possessions of France. What did it mean as regards Belgium? When she addressed, as she has addressed in these last few days, her moving appeal to us to fulfil our solemn guarantee of her neutrality, what reply should we have given? What reply should we have given to that Belgian appeal? We should have been obliged to say that, without her knowledge, we had bartered away to the Power threatening her our obligation to keep our plighted word. The House has read, and the country has read, of course, in the last few hours, the most pathetic appeal addressed by the King of Belgium, and I do not envy the man who can read that appeal with an unmoved heart. Belgians are fighting and losing their lives. What would have been the posi-

tion of Great Britain to-day in the face of that spectacle, if we had assented to this infamous proposal?

This shows a very clear grasp of the situation. Mr. Asquith was right in saying that the Belgians would have resisted the German invasion whether England had agreed to intervene or refused to do so. The King's appeal for the diplomatic intervention of the British Government was sent at a time when Germany had already been notified of the refusal of the proposal of August 2d. The appeal of the Government for the military co-operation of the British, French, and Russian forces was sent after the violation of Belgian territory at a time when the Belgian army was already in action, and I know from an authoritative source—I give my word of honour for this—that at this moment there was the most poignant anxiety in governing circles in Belgium while they wondered what the reply from London was going to be. . . . Thirty-one German professors whose names are very well-known in the scientific world, at the same time that they renounced the honorary degrees conferred on them by British universities, asserted¹ that if Belgium had not been assured of the assistance of England she

¹ Letter published by the *Kölnische Zeitung*, September 7th.

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would never have dared to resist Germany. I beg them to believe that they are absolutely mistaken.

Mr. Asquith continued:

And what are we to get in return for the betrayal of our friends and the dishonour of our obligations? What are we to get in return? A promise—nothing more; a promise as to what Germany would do in certain eventualities; a promise, be it observed—I am sorry to have to say it, but it must be put upon record—given by a Power which was at that very moment announcing its intention to violate its own treaty and inviting us to do the same.

And the Prime Minister ended this part of his speech by recalling once again the two motives that ought to govern the policy of England on this question.

I can only say, if we had dallied or temporized, we, as a Government, should have covered ourselves with dishonour, and we should have betrayed the interests of this country, of which we are trustees.

Then summing up the situation he defined what was at stake in the war.

If I am asked what we are fighting for, I reply in two sentences. In the first place to fulfil a solemn international obligation, an obligation which, if it had been entered into between private persons in the ordinary concerns of life, would have been regarded

as an obligation not only of law but of honour, which no self-respecting man could possibly have repudiated. Secondly, we are fighting to vindicate a principle: in these days when force, material force, sometimes seems to be the dominant influence and factor in the development of mankind, we are fighting to vindicate the principle that small nationalities are not to be crushed, in defiance of international good faith, by the arbitrary will of a strong and overmastering Power. The maintenance of these principles is vital to the civilization of the world.

No imputation can stand up against the accumulative force of the facts which mark the various aspects of the relations between Belgium and Great Britain. It is in vain that attempts have been made to find a weak link in the chain; there is none.

Germany realizes this, and is anxious to discover some evidence that will compromise Belgium.

As a matter of fact Germany is now under the impression that she is in possession of a series of sensational pieces of documentary evidence.

On October 13th the *Norddeutsche Allgemeine Zeitung* announced that there had just been found in the archives of the War Office at Brussels a *dossier* containing a record of the agreements concluded between Belgium and England. The same newspaper returned to this discovery on November

24th when it published the facsimile of a report. A *démenti* had already been issued by the Belgian Government of the incorrect interpretation that the *Norddeutsche Allgemeine Zeitung* had put on this document. But in view of the persistence of the German press it seems worth while to go into this matter in detail.

In 1906, the British Military Attaché, Colonel Barnardiston, had a series of interviews with General Ducarne, Chief of Staff of the Belgian army. These interviews began in the month of January by a preliminary conversation of which the general purport was as follows:

"The situation is critical," said the Military Attaché, "the tone of the press warrants every apprehension. Is Belgium ready?"

"Certainly," replied the Général, "all our arrangements are made. Our fortifications are prepared. Antwerp faces England, Liége faces Germany, and Namur faces France."

"Yes, but it is Germany who must be regarded with the greatest suspicion to-day. If she were ever to violate your neutrality England would come to your help and it would be appropriate that technical arrangements should be made from the military point of view for such an eventuality."

"From the military point of view," replied the

Belgian General, "this contingent intervention of England could not be anything but favourable. But this question has also a political side, so that I ought to communicate with the Minister of War on the subject."

The discussion then proceeded and was followed by others. Various technical aspects of the question were examined one by one. The General drew up a report for his Minister. It is the draft of this document that has been found. I will only examine here a few salient passages. The full text is given as an appendix.¹

In the first place what was it that led the Military Attaché to take this step? "The preoccupations of the British General Staff."²

What people were aware of it? "The British Minister and the Chief of the British General Staff were the only persons then aware of the matter"³; the Attaché laid great stress on this point.⁴

What was the subject of the discussion? "Combined military operations in certain hypotheses."⁵

What were these hypotheses? Generally speaking, "in the event of Belgium being attacked."⁶ In particular, "in the event of a German attack directed against Antwerp,"⁷ and "the hypothesis

¹ See p. 301.

² P. 306.

³ *Ibid.*

⁴ P. 302.

⁵ P. 303.

⁶ P. 306.

⁷ *Ibid.*

of Belgium being crossed in order to reach the French Ardennes."¹

When were the British forces to intervene? "The entry of the British into Belgium would take place only after the violation of our neutrality by Germany."²

This last phrase would of itself be sufficient to put an end to all discussion, but in the report it is written in the margin and connected with the text by an asterisk. For this simple reason the *Norddeutsche* has omitted to translate it and gives it in French at the end of the published report as if it were a "marginal addition" independent of the text: *Auf dem Schriftstück findet sich noch der folgende Randvermerk*. Not at all! The sentence forms part and parcel of the report itself. The idea that it expresses so entirely dominates the General's mind that it came quite naturally to his pen but, as will be seen from the facsimile on page 188, the General made corrections and additions freely in drawing up his report, and having no space to insert a seventeen-word phrase in the text, he most naturally added it by means of a reference on the side of his paper.

Also the *Norddeutsche* allowed itself another liberty in translation. In the very important sen-

¹ P. 306.

² P. 302.

Il continue donc à dire : Le déloyal ^{anglais} de nos troupes s'occupe
 sur le côté de France, vers ~~l'Angleterre~~ et Calais, de faire à
 l'abri de plus possible ~~de~~ ^{de} ~~maintenir~~ ^à déloyal : par ces deux dernières
 manœuvres plus de temps parce qu'il faudrait dépenser de transports
 plus considérables, ce qui ~~est~~ ^{est} déloyal aussi : nous voyons

Ceci admet, il continue à régler deux autres points, savoir : Le
 transport par et de fait, la question de répartition sur place
 Parmi anglais-français avec nous, la question de commandement
 et de son allié

Il s'informe si, devant la dernière volée de transport, nous
 disposons. Chacun pour soi-même pour assurer le succès de
 plus devant la dernière volée de transport les troupes anglaises,
 et ceux qu'il inclut à une agence de jour.

Le résultat, que les plans de guerre des deux armées à l'abri
 d'un coup de main : celui, en 4 jours, entre autres de
 l'empire, forte de 100.000 hommes, avait eu des troupes
 — ce qui ~~les donne~~ ^{complet} temps

Par ailleurs, les anglais ne
 désignent ni à faire
 qu'ils le voient
 à notre avantage
 sur l'empire.

tence, "Our conversation was absolutely confidential," the word "conversation" has become *Abkommen* which means "convention." Later, after the falsification was denounced, the real translation was printed in further editions, and it was argued, what is in fact untenable, viz., that it was a misreading.

All that tampering with the text shows conclusively that not even in the eyes of those who found the document had it any value as it stood, and that it was necessary to give it a manufactured value.

Since all the evidence establishes the fact that the hypothesis of a previous violation of neutrality was postulated, no one can take offence at the technical conversations which took place at Brussels. Was the violation of the Belgian frontier by Germany one of the possibilities by which Belgium was threatened or was it not? If it was, was it not the duty of the Belgian General Staff to bear carefully in mind the information that the Military Attaché gave them on this possibility as on all others? What a simpleton the German press must suppose Belgium to be if it thinks that country capable of remaining in ignorance of the writings of German generals and of the secret strategical dispositions of that country, which go

to suggest—especially since 1895, to be exact—the possibility of the passage of German armies through Belgium.

I am pleased to be able to mention here a fact which I am sure is little known. A short time after the steps taken in 1906 by the British Military Attaché one of the periodical tours of the officers of the Belgian General Staff was arranged. Now, which was the object of this tour? To travel over Flanders in order to study there the dispositions to be made against a supposed landing of a British force. No one thought then, and no one would think to-day, of alleging that these tactical exercises argued the existence of an agreement against England.

But, says the German press, we have other documents.

In the first place, the *Norddeutsche* published at the same time as the Ducarne report a copy of a letter from the Belgian Minister at Berlin, Count Greindl, who in 1911 communicated to Brussels his advice on the subject of a plan of defence of one part of Belgium. It should be noted that the document found at Brussels in a room at the Foreign Office is a "copy" and not the original letter; that is to say that the original of this letter, as well as the original document annexed, were

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not filed with the copy which was discovered. The latter was detached from the *dossier* in order to complete a file made up in another Department. The *Norddeutsche* remains therefore ignorant of the past history of the matter. If one consults the *dossier* itself what is found there? The first document on the file is a memorandum drawn up by a high official under the title: "What would Belgium do in the event of a Franco-German war?" This memorandum goes back to 1910-1911. It goes into all the points that were within the competence of the official who wrote it. The Minister happened to submit this minute to Count Greindl, whose judgment was highly thought of, and to whom documents regarding the international situation of the country were often communicated. Count Greindl expressed his views very clearly; the following is the substance of them: The writer of the memorandum started from the hypothesis of Belgian neutrality being violated by Germany; that is one hypothesis, but there are others, and similar memoranda ought to be undertaken to deal with them: our country ought to fortify herself against all dangers from whatever quarter they may come. The *Norddeutsche* thought it proper to present these views as a sort of criticism by Count Greindl on his Government. I would

explain, therefore, that, on the contrary, in that circumstance, Count Greindl was expressing exactly the opinion of those responsible for the direction of Belgian policy, and that as far back as 1906 this community of views had been apparent in their diplomatic correspondence. Moreover, the *Norddeutsche* itself has recently (August, 1915) published some diplomatic reports of the Belgian Ministers abroad to their government, and it would be really beyond human understanding to qualify as anti-German the tendency of the Belgian foreign policy as outlined by these reports.

Then there is yet another document relating to a further conversation which took place in 1912 between another British Military Attaché, Lieutenant Colonel Bridges, and the Chief of the Belgian General Staff, General Jungbluth. "Now," says the German press (for example the *Norddeutsche*, December 24th), "this time it was stated that England would effect her landing even if Belgium did not ask for it."

What is there surprising in this? Every guarantor Power has not only the right but also the obligation to defend a violated neutrality, not only without waiting to be invited by the neutralized State, but *ex officio* and even against the wish of that State. We have seen above that this obliga-

tion is of the very essence of the idea of Permanent Neutrality.¹ Nevertheless, Belgium had ever been very scrupulous and always considered that her previous consent would be necessary.

Indeed, General Jungbluth replied as follows to the British Military Attaché:

"But you are well aware that the permission of Belgium is indispensable."

"Yes," replied the other, "but you would not be in a position to stop the Germans in their march through Belgium" (in the German version this is clearly translated *nicht im Stande seien, die Deutschen abzuhalten durch Belgien zu marschieren*).

It will readily be seen how definitely this last sentence, which the German press leaves in the background, visualizes the hypothesis which formed the whole basis of the discussion, namely, the previous violation of Belgian neutrality by Germany.

There is another point to be noted.

Everyone knows that it is not within the competence of a military attaché to carry on authoritative conversations on matters of policy with a government, and that governments cannot be held responsible for any undertakings into which military attachés may enter. This was pointed out

¹ See p. 51.

moreover by General Ducarne himself at the time of the first interview in 1906. It is therefore wholly inaccurate to represent the British Military Attaché as an authorized agent or a plenipotentiary,—*ein Bevollmächtigte*, to quote the expression used by Professor Bernatzik of Vienna in his article in the *Neues Wiener Tagblatt*.¹ The distinction is vital and, not being able to meet the point, Herr *Bernatzik* is led to formulate conclusions like the following:

If the British Government were really ignorant of the negotiations entered into by their plenipotentiary they had only to avail themselves of this pretext for annulling the convention made with Belgium (*den Vertrag Belgien gegenüber zu annullieren*), and to reprimand their plenipotentiary for having exceeded his authority (*seinen Bevollmächtigten wegen Mandatsüberschreitung zu bestrafen*).

Thus the *Norddeutsche Allgemeine Zeitung* once more brandishes before the eyes of its readers a document of no importance whatever.

Above all it must not be supposed that the Belgian Government abandoned its political and military archives to the mercy of the invader; they are in a safe place and it was merely by accident that the Germans were able to put their hands on certain stray documents at Brussels.

¹ November 29th.

But I can assure the *Norddeutsche* that there are in these archives numerous *dossiers* which prove as clearly as can be wished how keenly sensitive the Belgian Government always were to the delicacy of the situation, and how steadfast was their determination, as regards all the Powers without distinction, to defend the neutrality of their country completely and unconditionally in the strictest spirit of loyalty to treaties.

All the *dossiers* of which I speak bear witness to an excess of scruple rather than to any subservience whatever. Every time that any incident occurred the Belgian Government were at pains carefully to weigh its significance, with unremitting anxiety lest some Power might be able to take offence, and they never allowed any indiscretion or excess of zeal to be hushed up.

For instance when after 1912 inaccurate rumours gradually spread on the subject of the part played by the two British Military Attachés, some apprehension was at once openly expressed in Belgium. This came to the knowledge of Sir Edward Grey and, so loyal were the political relations between the two countries, that he hastened to write, on April 7, 1913, a letter to the British Minister at Brussels, who forwarded a copy to the Belgian Minister for Foreign Affairs.

This letter demolishes once and for all the construction put on the affair by the German press. It might have been published as soon as the German press campaign began. The Belgian Government refrained from doing so with that scrupulous discretion which has always characterized their policy. It was not until December 7th last that Sir Edward Grey communicated the text to the British press. It runs as follows:

In speaking to the Belgian Minister to-day I said, speaking unofficially, that it had been brought to my knowledge that there was apprehension in Belgium lest we should be the first to violate Belgian neutrality. I did not think that this apprehension could have come from a British source.

The Belgian Minister informed me that there had been talk, in a British source which he could not name, of the landing of troops in Belgium by Great Britain, in order to anticipate a possible despatch of German troops through Belgium to France.

I said that I was sure that this Government would not be the first to violate the neutrality of Belgium, and I did not believe that any British Government would be the first to do so, nor would public opinion here ever approve of it. What we had to consider, and it was a somewhat embarrassing question, was what it would be desirable and necessary for us, as one of the guarantors of Belgian neutrality, to do if Belgian neutrality was violated by any Power. For us to be the first to violate it and to send troops into Belgium would be to give Germany, for instance,

justification for sending troops into Belgium also. What we desired in the case of Belgium, as in that of other neutral countries, was that their neutrality should be respected, and as long as it was not violated by any other Power we should certainly not send troops ourselves into their territory.

Summing up all this, we may conclude that Belgium cannot be accused of having concealed from Germany understandings or conventions which never existed.

And, after all, perhaps Germany was not altogether ignorant of these matters. Gossip says that the interviews of the British Military Attachés had excited the lively interest of the German Military Attaché at Brussels, Staff-Major Renner, and indeed of the German Minister Herr von Flotow. Those two gentlemen must both be greatly surprised at the fuss that their Government are now making about the conversations of which they in former times made so light. . . .

It is true that there are still some other documents of the same kind but they are less interesting. I refer to the English edition of the map of the Belgian General Staff, and the series of English military manuals, not to mention the discovery of some requisition forms at the house of an English agent.*

* *Norddeutsche Allgemeine Zeitung*, November 6th.

The map was drawn and printed in England from the Belgian map, but it is alleged that this cannot have been done except with the co-operation of Belgium "for the English edition was found also at the Belgian Ministry of War."¹ I confess that I am quite unable to see any point in this remark. Perhaps the writer of the article was ignorant of the fact that the German troops who entered Belgium were in possession of copies of the Belgian staff maps reprinted in Germany with marginal notes in German. For instance, a detachment of Uhlans who went about the middle of September by Oost-Roosebeke near Roulers left a map of the district beside a hedge.

The English military manuals were denounced by the *Norddeutsche Allgemeine Zeitung* (December 1st), and the principal German newspapers at once followed suit. These manuals give a detailed description of various districts of Belgium with minute information regarding everything that could be of interest in military operations; the German newspaper in its criticism pays nevertheless high tribute to the care with which these manuals were compiled. They bear the inscription "Confidential; the property of the British Government." I

¹ See for instance the *German Journal of the War*, for October, 1914, edited by Herr Berg of Berlin.

do not know what the *Norddeutsche* finds surprising in this inscription. And after all what does the evidence of the English manuals amount to? That the British General Staff had considered the possibility of having to conduct a war in Belgium; in which, as experience has proved, they showed themselves remarkably well advised. It is Germany herself who is to blame in the matter. Her plans of campaign involved attacking France by way of Belgium. England was aware of these plans. It was of vital importance to her that Belgium should remain inviolable; she took her precautions accordingly. What complaint can be made of Belgium's conduct in all this?

The *Norddeutsche* on the contrary hails this with triumph. Such a work it says would not have been possible without the co-operation of the Belgian Government and officials of the Army administration; it is certain, according to that newspaper, that official information was used. The conclusion is drawn that "in both political and military matters Belgium was neither more nor less than a vassal of England" (*nichts anderes als ein Vasall Englands*). Well, the connection between the conclusion and the premises is indeed flimsy. Do the German newspapers seriously think that in order to obtain full information about a

country it is necessary to apply to official sources? Do they think even that it is the most practical method? What would they say if they were in a position to reveal to the world that innumerable Englishmen who had settled in Belgium as electricians, chemists, engineers, clerks, workmen, employees, or even as dealers in scythes or razors, had left the country at the opening of hostilities, only to return to it in uniform, eager to furnish to their superiors information of every sort which they had collected when they were enjoying the hospitality of Belgium? Well, this is exactly what did happen—except that these people were Germans, not Englishmen.

Belgium has been the chosen land of spies of every nationality, and a short time before the war, the Government had formed a definite intention to introduce a bill on the subject.

Why may there not have been in this candid country English spies just as there were German and French spies? And why may not these secret agents, some of whom apparently divided their time between shooting and fishing, have furnished Great Britain with documents of no very remarkable importance indeed, such as information about Belgian mobilization, circulars sent to Belgian high commands, notes of a sitting of the Belgian

Commission appointed to inquire into the question of the provisioning of Antwerp, reports from the Belgian *gendarmérie* on the concentration of French rolling stock at Maubeuge? The *Norddeutsche Allgemeine Zeitung* announced that all this has been found out at the British Legation at Brussels and it says solemnly that "this new revelation adds overwhelming evidence of the Anglo-Belgian conspiracy."

To any one who has preserved any critical sense all that this "revelation" proves is that England—like all the neighbouring Powers of Belgium—maintained a secret service in that country. So far were the Belgian Government from giving facilities to this secret service, either overtly or tacitly, that they were actually wholly ignorant of its existence.

That is the long and short of the matter.

And the list of "revelations" will no doubt increase still further. If I were not afraid of spoiling the appearance of these pages I should leave here some blank spaces in order that they might be used to keep pace with fresh efforts of the German press to surpass itself in publishing new evidence of the conspiracy between Belgium and England, and even to present them (as for instance does the *Kölnische Zeitung* of December 24th) as confirming some grounds of suspicion that the

Germans already had in their possession before the war. We may await them with equanimity. Nothing can ever prevail against this simple truth: the Belgian State adopted an attitude that was scrupulously correct and never asked or accepted anything from England, either interference or joint action.

One word more.

The time at which the *Norddeutsche* presumes that an Anglo-Belgian Convention was concluded is very badly chosen. It is a matter of common knowledge that about 1906 the long-standing sympathetic relations between England and Belgium became somewhat strained. The incidents of the Boer War, the attempt of a half-witted boy at Brussels to assassinate the then Prince of Wales, who was soon after to become Edward VII., the Morel campaign against the administration of the Congo, all this had tended to produce a certain coldness between the two nations.

It is also a matter of common knowledge that since the beginning of the twentieth century the pivot of Belgian diplomatic activity has been the Congo Free State. If Germany would think for a moment she would realize that it is certainly not the case that her interest during these critical

years had been sacrificed to British interest in the Belgian Congo and that it was certainly not in England that the companies founded by King Leopold II. had sought the protection of the law.

Why labour all these points?

I need not tell my readers that on July 28th last, when the international situation became grave, the instructions given to the Belgian administration of the Congo indicated the precautions which should be taken against a possible blockade of the river by France and England acting in common, just as much as against a violation of the frontier of the colony by Germany. It was only after the rupture with Germany that orders were given to concentrate all efforts on the one side only.

And it is scarcely necessary to point out, merely for the sake of adding to the mass of evidence, that up to the time of the war the Belgian Royal Family had not yet paid an official visit to the King and Queen of England, though they had already visited Berlin and Vienna.

Next, the facts are here, and they make all discussion superfluous. In August, 1914, Germany violated Belgian neutrality for the sake of her strategic interests and the march of her armies corresponded exactly with the plans that she was known to have made. In August, 1914, Great

Britain waited for a *fait accompli* before announcing her intention to intervene, and her troops only entered Belgium eighteen days later.

Nothing more need be said.

Belgium was not bound to England by any bargain or any understanding, expressed or tacit. In her relations with England, as in her relations with France and Germany, she was in August, 1914, as she had been for the last seventy-five years: free of all engagements, upright, and unswervingly loyal.

To put it bluntly, it is a thoroughly base slander to make unfavourable comparisons (as does a communiqué of the Wolff Agency in the *Neue Zürcher Zeitung* of November 4th) between the impartial policy of Switzerland and the policy of Belgium, who is said to have destroyed her own neutrality by becoming the military ally of France and England.

Such is the material, flimsy, rotten, and specious, which forms the basis of the indictment for treason that German public opinion wishes to bring against Belgium.

A campaign of defamation has followed the campaign of arms. Slander continues remorselessly. Does Germany wish to try to minimize

her crime before her judges by belittling her victim? Or does she perhaps wish to prepare men's minds to accept the conquest of a country that had lost its claim to respect.

It does not matter. One thing remains, and it was a Swiss, the great poet of the German language, Carl Spitteler, who had the courage to declare it¹:

After the deed was done, that the stain of his guilt might less appear, Cain has besmirched the fair name of Abel. . . . Surely it was amply sufficient to have cut his throat. To slander him afterwards was going too far.

I will only add one line to these noble words. There is no justification whatever for the assumption by Germany of the rôle of a judge whose sternness is mingled with compassion. "Already," wrote the *Lokal Anzeiger* of Berlin of August 21st, "Belgium has been crushed and has fallen on her knees."

On her knees!

For what crime is this poor little country paying the penalty, except that of remaining loyal? And is it not a last outrage to her dignity to deem her capable of assuming the attitude of suppliant before her persecutor?

¹ *Neue Zürcher Zeitung*, December 16th.

V

***German Rules of War and Their
Application to Belgium***

V

GERMAN RULES OF WAR AND THEIR APPLICATION TO BELGIUM

IN the proposal for an *entente* which Germany addressed to Belgium after the battle of Liége the following passages¹ have already been quoted:

The German Government most deeply regret that bloody encounters should have taken place. Germany is not coming as an enemy into Belgium. . . . The German Government beg the King of the Belgians and the Belgian Government to spare Belgium the horrors of war.

These words have the appearance of being inspired by a feeling of sincere pity. When Germany resolved to give over to the horrors of war a country for which she professed every sympathy, one might have expected her to enjoin a certain moderation on her officers. Without compromising the success of military operations she might have disclosed to her armies the fact

¹ Page 113.

that she had not even declared war on Belgium, but that, to quote the second Note,¹ "the Emperor found himself compelled to take—if necessary by force of arms—measures of defence." Without disregarding the laws of war, the German authorities might have instilled principles of equity into those whose duty it was to apply those laws. It may even be said that this was the elementary duty of Germany at a moment when she had only been able to plead "necessity" to excuse her conduct. According to the statement that she made to the world she was passing through Belgium only because strategic necessity compelled her to do so: she was wronging an innocent country, and necessity alone was the excuse for this wrong; in the *Notstand* everything which is not absolutely necessary is criminal. But the truth, as we have seen, was different. It was the subjugation of Belgium that was being aimed at, and from the very beginning of hostilities events proved that war was to be conducted in Belgium with systematic and cruel vigour. The German Government itself on August 14th informed the Belgian Government in an official note that the war would assume "a cruel character" (*einen grausamen Charakter*). Belgium, they continued, would bear the re-

¹ Belgian Grey Book, No. 27.

sponsibility for this (*Belgien trägt die Schuld*).
The Note stated in effect:

1. That numerous civilians had taken part in the fighting around Liége;
2. That civilians had ill-treated the wounded;
3. That the civilian population at Antwerp had destroyed the property of Germans and had brutally massacred (*in bestialischer Weise niedergemetzelt*) women and children.

Moreover, the Emperor himself actually addressed the following message to the President of the United States in which he said:

The Belgian Government has openly encouraged the Belgian population to take part in the war, and it has for a long time been preparing with care for this participation. The cruelties committed in this guerilla war on soldiers, doctors, and ambulance men, even by women and priests, have been such that my generals have been finally obliged to have recourse to the most severe measures in order to chastise the culprits and to spread terror in a population thirsting for blood, to prevent the continuance of their murders and abominations.

Now, it is beyond question that the information received by the German Government was inaccurate and misleading and they may, without exaggeration, be accused of having lightly given credit to slanderous tales.

It is premature to attempt to arrive at a final conclusion on this matter, which demands dispassionate consideration, as at the present moment it is difficult to assume the good faith of witnesses as a matter of course. It is our duty nevertheless to clear the data on which public opinion is formed of a number of elements which certainly have no foundation in fact. From this point of view, I will briefly examine the three accusations directed against the inhabitants of invaded Belgium.

1. The Participation of Civilians

The Emperor and the whole of the German press have accused the Belgian Government of having actively or tacitly favoured resistance on the part of civilians. For example, several papers stated that the Government had taken no steps to instruct civilians with regard to their obligations towards enemy troops or that they had only intervened tardily or weakly. It was even stated in a note to the German Consul at Geneva that:

A general rising of the people against the enemy had been organized long beforehand; depots of arms had been set up in which every rifle was marked with the name of the civilian for whom it was intended.

It is scarcely necessary to refute this last accusation. What certain Germans had taken for depots of arms, placed by the Belgian Government at the disposal of civilian inhabitants, were merely the places in which the local authorities, as a measure of precaution, had ordered the firearms of private individuals as well as those of the civic guards to be collected. As is well known, in Belgium all citizens between the ages of twenty and forty are liable for service in the Civic Guard. Only two exceptions are made, first, when a citizen has already done his military service, and secondly when he has not sufficient money to pay for his equipment. Each member of the guard keeps his arms and his uniform at home. At the central depot, a full register is kept of all the names and addresses of the members, with an indication of the numbers of their arms. At these central depots, or in some other local building, the arms had been deposited in those communes in which the members of the guard, notably those of the special reserve, had been disarmed.

The correspondent of a German paper in Belgium even alleged that in order to be able to distribute such a vast quantity of arms to the population, the Belgian Government must have collected a considerable stock with a view to war. As a

matter of fact the situation was entirely different. The "Very Confidential Note" of August 2d found the Belgian Government about to reorganize the army and in the throes of the upheaval consequent on so radical a reform. The increase of effectives and armament was to be spread over a period of five years. This reform could not therefore produce full results until the expiration of that period. With regard to armament in particular, a serious shortage of rifles made itself felt, so that, so far from being able to distribute arms to the civilian population, the Government found themselves unable immediately to call to the colours the classes of 1914 and 1915.

Far from having prepared in any way whatsoever for armed resistance, the Belgian Government at the very beginning of the war, on August 4th, issued to the administrative authorities of the 2600 communes of the country a circular of which the following are the extracts relevant to the point in question; certain parts are taken textually from The Hague Convention.¹

Hostile Acts. By the laws of war, hostile acts, that is, armed resistance or attack, the use of arms against detached soldiers of the enemy, and direct

¹ For example the third paragraph which reproduces Articles of the rules contained in an appendix of the Convention.

interference in battles or chance encounters are forbidden to those who are neither in the army or civil guard nor members of a voluntary corps observing military laws under the command of a chief and wearing a distinctive and recognizable badge.

Those who are authorized to perform hostile acts are called "belligerents": when they are taken prisoner or have laid down their arms they have the right of treatment as prisoner of war.

If the population of a territory which has not been occupied by the enemy spontaneously take up arms on the approach of the invader without having had time to organize themselves in a military manner, they will be regarded as belligerents if they carry arms openly and if they respect the laws and customs of war.

Any individual, not being classed under any of the foregoing categories, who commits a hostile act, would not be considered a belligerent; if he were taken prisoner, he would be treated with greater severity than a prisoner of war, and he might even be put to death.

It is even more imperative that the civilian population should abstain from acts which are prohibited to soldiers; these acts are principally: the use of poison or poisoned weapons; to kill or wound treacherously individuals belonging to the hostile nation or army; to kill or wound an enemy who, having laid down his arms or having no longer the means of defending himself, has surrendered at discretion.

It must be borne in mind on the one hand that the administrative organization of Belgium is very

complete, and on the other hand that at the moment when the circular note was sent with as much despatch as possible the territory was, with the exception of a few localities, still free of the enemy. The administrative machinery was therefore able to work perfectly, and the instructions from headquarters reached almost instantly their various destinations all over the country. These instructions were posted in all the communes without exception and in several places in each of them. This is the general rule in Belgium for official injunctions. I myself have actually seen this notice posted up in the towns and villages of Flanders, and personal friends of mine have seen the same in various parts of the country. This posting was carried out with the utmost celerity. At Liège, for example, it was placarded on the walls as early as August 5th; the Germans must have read it when they entered the town. Similarly at Aerschot, a little town which suffered a terrible fate, the Germans were able to see on their entry, posters of the burgomaster calling upon his fellow-citizens to abstain from any hostile acts in case of invasion. When Professor C. Wegener¹ states that similar steps were taken at Rheims, he cannot help expressing his admiration. Why has

¹ In the *Kölnische Zeitung* of September 15th, No. 1025.

the German press never acknowledged the same careful precautions taken by the communal magistrates in Belgium?

The Minister of the Interior did not content himself with this step alone. At the very beginning of August, he asked the principal papers to publish either every day, or from time to time, the following injunctions, which request was faithfully carried out.

To Civilians.

The Minister of the Interior advises civilians, if the enemy appears in their district:

Not to fight.

Not to try any abuse or threats.

To keep indoors and shut their windows, so that it will be impossible to say that any provocation was given.

If soldiers occupy a house or an isolated village for purposes of defence, to leave it at once in order that the allegation may not be made that civilians have fired.

An act of violence committed by a single civilian will be a crime legally punishable by law, for it may serve as a pretext for a bloody repression, pillage and massacre of innocent population, women and children.

The communal authorities also enjoined the inhabitants to get rid of their arms. I myself have read these posters in many little places and I will

merely give here as an example the text of the poster which was placarded in Brussels over the signature of the Burgomaster.

The laws of war prohibit the civil population from taking part in hostilities, and as any failure to observe this rule may cause reprisals, many of my citizens have expressed to me a desire to rid themselves of the firearms that they possess.

These arms may be deposited at police stations, where a receipt will be given for them. They will be put in safety in the central arsenal at Antwerp and will be restored to their owners at the end of hostilities.

The instructions in the Circular of August 4th to the communal authorities were subsequently repeated on various occasions. Some of these instructions were sent to the authorities with a German translation,

in order [as the Minister wrote] that local administrations may eventually show the German authorities the instructions followed by those administrations in conformity with the rules laid down by The Hague Convention to which the German Empire subscribed.

In the light of these known facts, it is possible to state in the most emphatic manner that the Belgian Government deliberately organized the non-resistance of the population in order that

even in the hour of wild indignation it should remain faithful to the tenets of international conventions. What conclusions can we draw then from an article which appeared in the *Kölnische Zeitung*, No. 967, of August 28th?

The attitude of the Belgian population is incomprehensible, but that of the Belgian Government is still more so. With them rests the responsibility for the destruction of Belgian towns and villages. . . . In the first place the Belgian Government encouraged armed resistance by the diffusion of gross calumnies about our troops. They then had arms distributed, and now that this resistance is on the wane they are stirring it up again, instead of putting an end to it once and for all by issuing a vigorous statement.

It would have been easy for a paper which had at its command as reliable sources of information as were available to the *Kölnische Zeitung* to verify such grave statements before publishing them. But reasoned criticism is helpless before the comments that the newspaper makes on this statement:

Here is a certain proof which will convince the entire world, that before the war the resistance of the population was counted on and had been prepared. On October 19, 1913, the *Annales* of Paris expressed lively approval of the suggestion of a Belgian officer to militarize the population of the provinces of

Luxemburg with a view to resisting a contingent invasion by guerilla warfare. This idea emanated, then, from a Belgian and was approved of and spread by a Frenchman. We thus catch the accomplices in full collusion in support of the idea of a war of *francs-tireurs*!

If the *Kölnische Zeitung* will take the trouble to re-read the papers of that date, it will easily find that this idea, which was started without any success by two members of Parliament, contemplated the formation in the provinces of Luxemburg of a corps similar to that of the *chasseurs alpins*. As for the rest, the arguments of the *Kölnische Zeitung* are too childish to be discussed.

But since I am on the subject of astounding statements, I will add some more.

First this news in the *Hamburger Nachrichten* reproduced in the pamphlet entitled *Die Wahrheit über den Krieg*, "The Truth about the War"¹:

Here [at Louvain] the façades of many houses are prepared with a view to a war of *francs-tireurs*. They have openings through which the barrel of a rifle can be thrust and which can be shut by means of movable metal plates. These were made by experts with a view to the systematic organization of such warfare.

¹ Second edition, page 60.

No, my worthy correspondent, experts constructed them with the very inoffensive object of holding the pieces of wood necessary to support scaffolding when repairs are being done to the façade.

Secondly the following story related in the *Leipziger Tagblatt* and contained on page 38 in the pamphlet entitled *Die belgischen Greuelthaten* to which I shall refer again later.

According to a postcard sent by a soldier to his parents at Pössneck, the Belgian Government had promised the civil population a reward of fifty francs for every German soldier killed. This is further confirmed in a letter of a reserve lieutenant to his parents at Leutenberg. The latter writes that he found on the body of a *franc-tireur* who had been killed, a note in which the French Government recognized him as a *franc-tireur* and allocated to him a monthly pay of fifty francs.

Comment is superfluous.

The term *francs-tireurs* has just been used. It has had an extraordinary vogue in Germany. Under the denomination of *francs-tireurs* the Germans have included bands of men, either in uniform or in peasant blouses, as well as isolated individuals whom they accuse of having fired on their troops. I will first consider the case of armed bands.

The Germans met in certain localities combatants who were differently equipped from the Belgian troops. They were soldiers of the Civic Guard which I have already mentioned.¹

As Professor P. Errera explains in his *Traité de droit public belge* the Civic Guard was created by the *Congrès National* of 1830 to establish harmony between the public force and the fundamental principles of government. Examples proved the great influence which the executive power wields over the army itself, as it is placed in the hands of that power. The *Congrès* thought it necessary to create by the side of the army another military force which would better represent, especially by its method of recruitment and the designation of its officers, the entire nation, and which would defend constitutional liberties equally against menaces from outside and against dangers from within.

It is necessary [said the report of the Central Section of the Belgian Chamber, in 1831] to create a counterpoise in favour of the country. It is therefore indispensable to organize a military force which, if necessary, might become an army capable of maintaining our institutions.²

¹ See page 213.

² Report of January 24, 1831; Huyttens, *Discussions du Congrès National*, vol. iv., p. 108.

This is the spirit which inspired the subsequent laws with regard to the Civic Guard and which re-asserted itself in the Law of September 9, 1897, which is actually in force.

The object of the Civic Guard is determined by Article I of this Law:

The duty of the Civic Guard is to maintain law and order, to preserve national independence, and the territorial integrity of the country.

The duty of the Civic Guard in time of war was clearly stated during the preliminary discussions of the Law of 1897. The Minister for War himself said that the Civic Guard was to assume the auxiliary services of the army—that is, garrison service in the forts, miscellaneous services in the rear of the army, and the protection of communications between garrison troops and the armies in the field, etc.

The Civic Guard is therefore very similar to the German Landsturm whose rôle is defined by the Law of February 11, 1888.¹

The Civic Guard has the same cadres as the army. In fact it is commanded by officers the majority of whom are ex-army officers. The result is that both by its composition and by the nature

¹ Paragraph 23.

of its functions the Civic Guard constitutes one of the two elements of the public forces. This is known to all those who have studied Belgian law.

The Civic Guard is either "active" or "non-active." It is "active," unless the Government has issued instructions to the contrary, in all localities in which the population exceeds ten thousand inhabitants and in those localities which are fortified or protected by a fort. In other localities it is "non-active." It can, however, be called into activity by a Royal Decree, on the demand of the local council, or if such a step is considered desirable in the interests of order and public safety in that locality.¹

At the outbreak of the present war the Government considered it urgent to call into activity the Civic Guard in all localities: the uniforms of the members of the Civic Guard thus called out consisted of a blue blouse, a tricolour cockade, and a brassard of the same colour. They carried arms openly, and in performing their duties conformed to the laws and customs of war. The Government extended this measure so as to include the officers and *personnel* of two great public services who wear uniform in the normal course of their duties,

¹ Article 4 of the said Law.

namely the customs officials, and the guards of forests.

These decisions were in strict and complete accordance with the prescriptions of The Hague Conference, and the Belgian Government hastened to give notice of them on August 8th to the German Government through the diplomatic intermediary of the Spanish Minister at Brussels.

Subsequently, and for purely internal reasons, other circulars were issued which partly annulled these decisions. It is nevertheless a fact that in the places in which German troops met these Civic Guards in one of the uniforms described above, or in their blouses, they had no right to consider or to treat them as *francs-tireurs* inasmuch as they fell in every respect within the terms of the four conditions stated at the head of the rules annexed to The Hague Convention.¹

1. That of being commanded by a person responsible for his subordinates;
2. That of having a distinctive emblem fixed and recognizable at a distance;
3. That of carrying arms openly; and
4. That of conducting their operations in accordance with the laws and customs of war.

A German magazine published, under the heading of *The War of Francs-Tireurs*, a picture of

¹ Article 1.

the Civic Guard wearing their blouses. Numerous articles in the German press give the impression that voluntary troops of civilians had taken part in the fighting, harassing the German columns, and carrying on a guerilla warfare.

Now, it is absolutely certain that never in Belgium have any acts of this sort taken place.

But there is a very active press campaign in Germany to establish other contentions.

What are the German grounds of complaint? Their troops while going through villages are supposed to have been fired at from certain houses; German columns marching on high roads are supposed to have been fired at from neighbouring thickets; detachments of German troops occupying certain localities are supposed to have been fired at suddenly from cellars and windows.

Instead of confining itself to definite facts, the German press immediately generalized and represented the entire population as given over to this war of *francs-tireurs*. On the strength of these statements, certain admirers of the Belgians actually gave them credit for a kind of heroism which would have been absolutely contrary to the laws of modern warfare.

The Belgian nation, it is true, has given proof of

its courage; but, at the same time it has not for a moment lost its dignity. In less than a fortnight about twenty thousand volunteers from the highest to the humblest ranks of society answered the noble appeal of King Albert. Regardless of all parties, the people mustered enthusiastically round the tricolour standard. In opulent cities, just as in poorer villages, cheers were given for the soldiers who, in the defence of their country, were obliged to blow up bridges, raze houses to the ground, devastate fields, shut up factories, block roads, tear up railway lines or open sluices. It is thus, and not by rifle shots from behind walls, that the Belgians received the Germans.

How then can it be said in Germany,¹ "There is not a single Belgian who is not a *franc-tireur*!"? In his answer to Romain Rolland, Herbert Eulenberg² went so far as to write:

From the very outbreak of hostilities a systematic (*planmässig*) war of *francs-tireurs* was begun in Belgium against the Germans. The Belgians behaved like Paris Apaches (*Pariser Apachen*) and the heroic Flemish Lion has nothing in common with the Jackals of Flanders of to-day.

Herbert Eulenberg describes himself at the head of his article as a mouthpiece of German

¹ As for instance the *Kölnische Zeitung*, No. 967, of August 28th.

² *Kölnische Zeitung*, September 17th, No. 1035.

contemporary thought (*ein Vertreter des heutigen geistigen Deutschlands*). Does German thought, which has filled human souls with so many serene truths and so many great ideas, so forget itself as to slander a whole people without giving its insults even the appearance of justification? What are the real facts within the knowledge of Herbert Eulenberg? If his pen did not hesitate before writing this is it really still the pen of a thinker?

Did not also the pen of Max Hochdorf tremble when he wrote that the *francs-tireurs*, who, according to him, were particularly numerous between Louvain and Tirlemont, were peasants whose judgment had long since been destroyed by alcoholism and religious fanaticism?¹ Max Hochdorf knows me; he has had his workroom at the Solvay Institute in Brussels. He will, I hope, believe me, when I tell him that I am painfully astounded to see him father this story of drunken and fanatical Belgians. Let him mark on a map of Belgium in great stains the burnings and devastations of which the only pretext was reprisals against the inhabitants. Would he maintain that in the vicinity of Liège, in South Luxemburg, at Dinant, Andenne, Tamines, the population is made up of fanatics and drunkards? Has he for-

¹ *Berliner Tageblatt*, September 9th.

gotten that a number of these localities are centres of higher popular education, and that at Wavre, for example, where one of his colleagues of the *Kölnische Zeitung*¹ states, without any proof, that street fights took place against the *francs-tireurs*, there flourishes one of the most active committees of the University Extension at Brussels?

The German socialist deputy, R. Fischer, has also repeated this story of ignorant fanatical Belgians in a letter to the *Volksrecht* of Zurich.² Does he not think that in stating that "the population was incited by priests who feared that they would lose their privileges" he is reducing the argument to a very degraded level? I can assure him that, from the very beginning of August, the priests, in conformity with the express instructions of their bishops, preached in the churches, on the one hand, the patriotic duty of voluntary enlistment in the ranks of the army, and on the other hand, the abstention of civilians from all military operations.

In fact it is absolutely certain that no concerted resistance on the part of the population has ever taken place. Weapons had been given up to the local authorities, and the latter had enjoined

¹ September 22d, No. 1050.

² September 5th.

absolute calm everywhere. Inhabitants of towns and villages, terrified by the unexpected calamity which befell them, had other thoughts than of waging a war of *francs-tireurs*.

What, then, is the origin of the German statements?

After having read and re-read everything that has been written for and against this allegation, and after having spoken with soldiers who have taken part in the campaign, and with people who had returned from invaded districts, and after having deeply thought the matter over, I have come to the conclusion that there are many widely different circumstances which explain the belief in Belgian *francs-tireurs* which to-day is held as an established article of patriotic faith in Germany.

First, I am perfectly ready to admit that certain exceptional isolated cases actually did take place. Trustworthy friends, for example, have told me how in two villages poachers hid in the woods, or spent the night in ambush, in order to fire on German soldiers. I do not attempt to deny this, and I even add that it may have taken place elsewhere. These men, who carry arms as well in self-defence against gamekeepers and gendarmes as to kill game with, may have escaped the preventive and repressive regulations of the

authorities and kept their arms, when they had been ordered to give them up, and may have attacked the troops when they had been definitely forbidden to do so.

But apart from these local and exceptional cases, I surmise that the very large majority of other cases, have been mere coincidences.

In this connection I should like to ask all those people who, in Germany and elsewhere, have placed their names and social position at the service of this campaign of defamation against the inhabitants of Belgium, to consider dispassionately the following few facts, the truth of which can at any time be checked. Their only importance is that they show with what reserve the allegation of this firing on the part of civilians should be accepted and how easy it is for mistakes to be made. I am compelled, from motives which will readily be understood, to refrain from giving certain names.

During the month of September on the Brussels-Mons line, a German train near Jurbise exploded a detonator used for signalling purposes on the line. The soldiers in the train on hearing the explosion immediately concluded that an attack had been made by *francs-tireurs*. They seized some peasants who were working nearby and shot

them on the spot. When at last they were made to understand the cause of the explosion, they expressed regret and continued on their journey.

On September 25th in a village in Hainaut, a similar incident nearly took place. A detachment of Belgian soldier cyclists had been sent across the enemy's lines to cut the communications by destroying bridges. The cyclists hid behind bushes and crossed into a park forming part of the property of M. X., whom I know personally. The park was situated near the railway line on which the Belgian soldiers had to carry out their work. German soldiers were guarding the line. They were surprised by the fire of the cyclists, and as they were more than seventy kilometres from the Belgian lines they thought that this was an attack of *francs-tireurs*. M. X. was arrested and only escaped thanks to his knowledge of German which enabled him to explain what had happened and ask for an inquiry to be held.

Along the road from Brussels to Termonde a few gendarmes¹ were ambushed behind two farms. They were waiting for a German patrol, and when it passed fired without coming out of cover. The German soldiers took note that the shots were

¹ Gendarmes form part of the regular army.

fired from the two farms. Shortly afterwards these were both burnt.

A similar occurrence took place near the little Flemish town of Waereghem, except that in this case it was a detachment of infantry who crawled along beside the houses to fire.

During the days between September 29th and October 3d, part of the commune of Weteren situated on the left bank of the Scheldt was put into a state of defence to cover the retreat of the cavalry division which made daily reconnaissances on the right bank. In each of the houses which face the Scheldt, most of which had not been evacuated by the inhabitants, a machine-gun had been placed on the first floor. The infantry of the Civic Guard occupied the ground floor. If the enemy had appeared during these days they would have been received with rifle and machine-gun fire, and if they had managed to carry the place, the Belgians would have been able to escape by the gardens of the houses which protected them, and reach Lokeren or Ghent by way of Laerne or Destelbergen without being seen by the Germans. The latter would have doubtless been under the impression that this resistance had been organized by the civilian population.

During the whole period of the operations at

Antwerp, detachments of Belgian soldiers, not working on any preconcerted plan, but left to their own initiative, carried on a guerilla war against the German army. Protected by the woods, or under cover of night, small bodies of them advanced as far as possible, often behind the enemy's lines. These little bands of brave men harassed the German communications. The Belgian General Staff encouraged these expeditions which worried the enemy and completely upset their calculations as to our operations.

The tactics of the Belgian army, with its obvious numerical inferiority, frequently took the form of this constant harassing of the enemy. A great number of patrols were left in the rear and spread about in the villages through which the German troops were to pass, with orders to harass them and then rejoin their column. These tactics bewildered the enemy greatly. A German engineer of the corps of officers, who was billeted at Ghent on one of my friends, expressed his surprise to him:

"In what a curious way your army wages war," he said one day, "your soldiers are never where we suppose them to be or they appear on the scene when they are least expected. A detachment appears to be the advance guard of an important column: steps are consequently taken to meet the

situation, and we suddenly discover that we have before us a mere patrol which disappears as we advance." It can easily be imagined how these tactics make the German command nervous and foster the belief in *francs-tireurs*. Appearing in districts where the Germans thought themselves entirely protected, these detachments, although composed of Belgian regular soldiers in uniform, often caused the enemy to believe that they were the victims of *francs-tireurs*.

At Aerschot, on the very morning of the sack of the town, the Germans entered after having met with a somewhat severe resistance on the part of a Belgian detachment. The fighting took place between six and eight o'clock. A Belgian witness stated to the Commission of Inquiry that that afternoon a soldier, who had taken refuge in a house, left it, rifle in hand, after having taken off his uniform and put on civilian clothes. Assuming that he was neither a drunkard nor a madman, and supposing that he did fire a shot as the German commandant asserts, could the act of a single individual be imputed as a crime to the whole population of a town?

At Dinant, according to the statement of the correspondent of the *Berliner Tageblatt*,¹ the in-

¹ September 26th.

habitants fired on the German soldiers during the night. "They were," says this correspondent, "supported by French soldiers who were hiding in 'certain houses.'" The question arises as to how it was possible during the night to distinguish whether the shots from the windows were actually fired by the inhabitants and not by the French soldiers.

At Tamines, machine guns had been placed in two houses which overlooked the bridge over the Sambre. French soldiers were concealed there. The Germans probably thought that the shots had been fired by the inhabitants, and who knows whether the terrible fate which befell the little town was not due to a mistake of this sort?

Lastly here are two incidents from which I should be reluctant to generalize but which nevertheless are of importance in the chain of evidence. The German army, just like any other army, is liable to include in its ranks individuals of doubtful character whose criminal propensities find an opening in the manifold and varying circumstances of war.

In a Walloon town, the Burgomaster was arrested because a German officer had been shot. The inhabitants were accused of this. "Shoot me," answered the Burgomaster, "but I first demand

a post-mortem examination of the victim." A German bullet was found in the body.

At Herve, during the scenes of burning and devastation of which the *Kölnische Zeitung*¹ of September 10th has sketched the lamentable sequel, Madame Y., fifty years old, the aunt of one of my colleagues at the Brussels University, saw from her window a German non-commissioned officer fire a revolver from the window of a neighbouring house. He then rushed downstairs and called out to his men, "A shot was fired from here!"

I have given my reason for relating all these episodes. My object is simply to show how, in the course of the innumerable events of daily life, some commonplace circumstances may arise which may lead to fatal mistakes.

Now I must dwell upon this circumstance, that generally speaking, no inquiry is held; guilt is assumed as a matter of course, and reprisals take place at once—*sofort* as the German accounts say so often; that is to say without giving time for possible mistakes to be corrected or for responsibility to be determined.

Thus with regard to Louvain, a German telegram runs²:

¹ No. 1009.

² *Kölnische Zeitung*, No. 967, August 28th.

The movement was crushed at once (*sofort*) and the punishment inflicted without pity (*unerbittlich*).

At Namur, a correspondent of the same paper relates what he has just learned:

At a given moment a violent fire was opened on the Grand' Place on our troops. As this could not have come from a single fanatic, steps were immediately taken (*alsbald ereilt*) to inflict a well-deserved punishment. Both sides of the Place were set on fire.

Referring to Tamines, another correspondent writes in the *Kölnische Zeitung*^{*}:

Then, not being able to reach those who had fired, the rage of our troops vented itself on the little town. Without pity it was given up to the flames and became a heap of ruins.

The depositions collected by the Belgian Commission of Inquiry on the violation of the rules of international law confirm these accounts of German origin. In the Third Report, page 2, I find:

The inhabitants were indiscriminately arrested and shot without trial and without apparent reason.

Sometimes, even as in the case of the unfortunate town of Aerschot, it was chance that determined who should be the victims. I have taken

^{*} No. 968.

^{*} No. 1009 of September 10th.

this passage from the Fourth Report. It is vouched for by M. Orts, Counsellor of Legation, whose good faith nobody who knows him could attempt to question:

After some searching I found at the foot of a bank the spot where fell these innocent victims. Black clots of blood still marked, on the stubble, the place occupied by each of them under the fire of the executioners. These blood stains are two yards distant from each other, which confirms the testimony of the witnesses according to which, at the last moment, the executioners took from the ranks two out of every three men, chance, in default of any sort of inquiry, pointing out those who had to die.

Really, in these circumstances, how could it be hoped that officers in command of troops could distinguish between the apparent and the real cause, between simple coincidence and governing fact? And on what a portentous chain of exceptional circumstances does bare justice depend.

Above all, the cardinal fact must not be overlooked that the soldiers, non-commissioned officers, and officers of the German army, in their training for war, are obsessed with the idea of armed civilians and haunted by visions of *francs-tireurs*. I was told of the case of German soldiers in Hainaut, whose only knowledge of French consisted of

the words "*Civils ont tiré.*" Again, a certain reservist of the 137th Infantry Regiment, on August 29th, twice wrote down in his notebook "Fra-diroer." Professor Hauser stated in the *Temps* on this subject that the German officers seemed to develop systematically in their men "*une sorte d'hypnose particulière.*" The fact that officers and men practically expected to be fired at by civilians caused their minds to be centred round *francs-tireurs* as their one preoccupation.

When a body of men are haunted by this idea, and incidents occur which shake their nerves and induce contagious excitement, all the elements are present for a confusion that is likely to end in tragedy. It is impossible not to be struck by the fact pointed out by many observers, notably in the evidence taken by the Belgian Commission of Inquiry, that reprisals for "*tir des civils*" often took place either after the Germans had suffered checks in engagements with the Belgian troops or in parts of the country where the Germans had met with a military resistance which irritated them and ill-disposed them against the inhabitants. I have heard this explanation given of the difference between the northern and southern regions of the province of Luxemburg. In the south numerous villages have been devastated

or burnt: there French regiments had opposed the advance of the Germans whereas in the north their progress was unimpeded.

A correspondent of the *Kölnische Zeitung*¹ has himself pointed out the contrast between these two neighbouring regions, one of which had been spared and the other devastated. He infers that this difference of treatment is due to a difference in the attitude of the inhabitants. This inference is very rash, all the other circumstances being obviously far from equal. Further, these contrasts are noticeable not only as between neighbouring regions but even as between places quite close to one another. Common sense forbids us to suppose that the inhabitants showed themselves violently hostile in one place and in another extended a peaceful welcome, and this fact lends great probability to other explanations. In any case, as the German correspondents themselves admit, this fact destroys the hypothesis of a general and systematic armed resistance on the part of the Belgian civilian population.

Therefore when four American journalists, after travelling through Belgium, signed on September 3d a declaration in which they stated on their honour that they were unable to find a single case

¹ No. 1035, September 17th.

in which these reprisals were not the result of provocation¹ they do not throw any light on the point as to whether the Belgian population really did organize an armed resistance. In the minds of those who ordered them, these reprisals were of course undertaken with good cause. It is quite another matter as to whether this was actually the case.

It has been undeniably proved [wrote Professor Stier-Somlo in the *Kölnische Zeitung*]² (*es steht unumstösslich fest*)] that the civilian population in Belgium has fired in ambush from houses, cellars, windows, and hedges, on the German troops and even on convoys of wounded and on doctors, that they killed a number of them, and that they poured boiling oil on our brave soldiers.

I have been accustomed to a stricter sense of scientific documentation and argument on the part of my colleague, and I have no doubt that he would be the first to demand the proofs which logic requires to arrive at complete certainty. In particular, I hope that he did not base his conviction with regard to boiling oil on the account written by a Dutch journalist of the attitude of the population of Herstal, near Liège. Men, women, and children

¹ Propaganda Pamphlet, No. 3, of the *Bureau des Deutschen Handelstages*.

² No. 977, September 1st.

were supposed to have thrown themselves before the German troops; every kind of projectile was said to have been made use of; boiling oil to have been poured and the place to have been given over to wholesale pillage. A few days after the publication of this terrifying account, it was learnt from an official source that nothing, absolutely nothing, had happened at Herstal and moreover that there had not been the slightest reprisals.

I will not add anything further, and I think I may draw the conclusion that the detractors of the Belgian people have, to say the least of it, shown a lack of the most elementary critical sense.

I find a further proof of this in a German pamphlet. It is one of those innumerable propaganda publications which flow ceaselessly from all parts of Germany. This particular one was published at Leipzig by Zehrfeld, and is entitled *Die Belgischen Greuelthaten* (Belgian atrocities) and the sub-title is *Amtliche und glaubenswürdige Berichte* (official and trustworthy reports). The inference is that the contents are taken partly from official sources and partly from trustworthy sources. The object of the pamphlet seems to be to collect in a sort of compendium the more characteristic accounts of the acts of cruelty of which the Belgian population is accused. A special chapter

is of course devoted to *Der Franktireur-Krieg* (the war of *francs-tireurs*).

What do we read in these pages?

Three of these accounts relate to the ill-treatment said to have been inflicted on German soldiers by the civilian population after a battle. This question is discussed in the next section. I will therefore only treat here of the statements with reference to the participation of the civilian population in hostilities.

Six of the accounts emanated from journalists¹ who on their own admission were not eye-witnesses of the facts they report. Further, they make no mention whatever of the sources from which the facts are drawn; the six accounts do not therefore carry any weight. The same can be said of seven other declarations which are supposed to have been made by eye-witnesses, but these are described in so vague a manner² that it is impossible to check them. It should also be said that, in most of the facts reported, the narrators do not even give the names of the places in which they are supposed to have taken place.

¹ Gottfried Traub and the war correspondents of *B. Z. am Mittag*, *Berliner Lokal Anzeiger*, *Leipsiger Neueste Nachrichten*, *Norddeutsche Allgemeine Zeitung*, and *Leipsiger Tageblatt*.

² A Dominican, two Swedish women, and four soldiers.

Finally there is one declaration in which the author states his name and in which verification is therefore possible. It was made by Alexander Berg, a barrister, to the *Frankfurter Zeitung*, and refers to the destruction of the town of Andenne. M. Berg alleges that the night attack, which was made on his company while they were going through Andenne, was carried out by *francs-tireurs*, but he does not state any fact to justify this allegation and excludes the hypothesis, which, however, is just as probable, that the assailants might have been Belgian soldiers and not civilians.

We shall see below¹ how a quite recent German *démenti* has proved M. Berg's account to be false in an essential particular.

Such is the net result of this pamphlet.

Is it not obvious that the accusations made against the Belgians have been accepted by Germans with inexcusable readiness?

2. The Treatment of the Wounded

The allegation with regard to the treatment of wounded put forward in a note of protest on August 14th² was repeated officially on two other occasions.

¹ P. 288.

² Pp. 210-211.

On September 6th, the Chancellor of the German Empire stated in a communication to the representatives of the great American Press agencies:

What you were not told is that on the fields of battle young Belgian girls gouged out the eyes of our wounded.

One of Germany's highest officials therefore accepted and gave his warranty to an infamous accusation which the entire press of his country had been pleased to propagate. The German Government even invoked this allegation during November as a pretext for refusing to allow the daughter of General Leman, the hero of the army of Liège, whose bravery the German Note of August 9th¹ was forced to admit, to visit her sick father who was a prisoner in Germany.

Such a proceeding would, said the answer, deeply wound the feelings of the German people, for reliable witnesses had stated that German wounded and prisoners of war had been in Belgium the victims of treatment which was not only contrary to international law, but also a disgrace to civilization.

To refute these "reliable witnesses" I could quote the *Kölnische Volkszeitung*, or the *Vorwärts* which, in articles which I have before me, have

¹ See p. 113.

themselves been obliged to admit that facts which had been considered as established were in reality pure fiction.¹

I could also tell how the first German wounded picked up in Belgium on the battlefields were sent, by the express wish of our Queen, to the ambulance of the Royal Palace in just the same way as the Belgian wounded.

But I prefer to allow a document which is based on observation made by the Germans themselves to speak for itself.

Two official commissions have been instituted in Germany, one civilian and the other military, separately charged with the duty of holding an inquiry into all acts of cruelty alleged against belligerents.

As to the question of the gouging out of eyes, it has been stated that in all the cases reported in the papers or by private individuals, witnesses have been found and questioned. It has been stated before the Civilian Commission, that in a great many cases, not to say in nearly all, these witnesses admitted that they only possessed hearsay evi-

¹ See especially the *Vorwärts* of October 22d and the heading "Das Märchen von den ausgestochenen Augen" (The Legend of the Gouged-Out Eyes), which this paper introduced in order to collect evidence from German sources in refutation of the accusations made against the Belgians.

dence of the facts; other witnesses declined to make their depositions and did not appear. The finding was that it had not been proved that Belgian women had gouged out the eyes of wounded or of prisoners of war and that in no single case had this fact been stated officially.

The German Commission explained that this story must have arisen from the fact that a great number of wounded had their eyes put out by fragments of shrapnel which burst about a man's height from the ground and often hit men in the eyes.

The story still persists in spite of these findings and declarations. But in official circles these acts of cruelty alleged against the Belgians are formally denied. The Civilian Commission was positive and unanimous on this point.

The Military Commission arrived at the same conclusions.

We now see what is left of the rash statements of German officials and the German Press. The unfortunate thing is that, during long months, this defamation has accomplished its evil work and that we are now witnessing its deplorable effects.

3. The Treatment of Foreigners

If we can believe the note of protest¹ and the German Press which commented upon it with painful insistence, the German residents in Belgium on their departure met with inhuman treatment at the hands of the inhabitants of the large towns, especially at Brussels and Antwerp.² Nor did Austrians escape the hatred of the populace; in fact, Austria-Hungary thought fit to justify her declaration of war against Belgium on August 28th by the statement that

Austrian and Hungarian nationals in Belgium have had to submit, under the very eyes of the Belgian authorities, to treatment contrary to the most primitive demands of humanity, and inadmissible even towards subjects of an enemy State.

I will quote a statement spontaneously sent by a German on September 10th to the *Kölnische Zeitung*.³ I will give it in detail because it shows in a remarkably clear light both the irreproachable conduct of the inhabitants as of the Belgian authorities, and also the inevitable excesses of that part of the population which is ever ready to join in disorderly expressions of popular

¹ P. 211.

² See, for example, *Kölnische Zeitung*, Nos. 896, 900, 901, 937, 948.

³ No. 799.

feeling. That windows were broken, German beer advertisement boards smashed to pieces, people in the street jeered at and even jostled, cannot cause any surprise, but these were isolated cases which were vigorously checked by the police, severely punished by the Belgian Courts, and disavowed, in short, by everybody. I will let the correspondent of the *Kölnische Volkszeitung* tell the story:

For the past fortnight, the German Press has been full of accounts of acts of brutality committed by the Belgians against our fellow-countrymen, and it would seem as if all Belgians are cut-throats from whom Germans can only escape with their lives by some piece of good fortune.

The author of these lines has no intention of casting any doubt as to the truth of the numerous incidents which have been reported. He himself witnessed the way in which the population of the centre of Brussels, stirred by the news of Germany's first steps, gave vent to its anger by attacking German restaurants and shops. He heard that Germans were severely handled, and he is far from wishing to condone such behaviour. He merely wishes to show that these outbursts were the work of a disorderly crowd recruited from the dregs of the people.

The author of this account was obliged to leave Brussels with his family on Friday, August 7th, at daybreak. He had to spend the Thursday night

at the German Consulate which was already under American protection. About three thousand of our fellow-countrymen had arrived there with their wives and children, taking with them the bare necessities of life, in order to escape from personal danger, and to return to their country under official protection.

I met several families of foreigners there, who had fled from the French frontier. They had already spent two days and two nights without undressing, and had had very little food. Huddled up together, at the German Consulate, we sat on the floor, in the corridors, and on the stairs. It was decided about midnight—probably on account of the serious danger of keeping so great a number of people in a relatively small and ill-lit house—to transport us to the *Cirque Royal*. This is a big building belonging to the town, very roomy and well-ventilated, and only a few minutes distant. During this transfer, as indeed afterwards in the *Cirque* itself, and at dawn the next day on the way to the station, the Civic Guard watched over us, and showed such consideration that one felt as if their duty had rather been protection than surveillance. It was certainly a lamentable sight to see these innumerable fugitives with their wives and children, and, in spite of the early hour, we heard exclamations of pity from the inhabitants as they gazed at us from their windows. The soldiers were just as sorry for us; they, one and all, by look or gesture, expressed pity for us. Several Civic Guards came to the help of those who were in the sorriest plight, by carrying their bags or their children. The burgomaster himself, Mr. Max, arrived at two

o'clock in the morning in a motor to see that everything went smoothly. In the *Cirque*, the soldiers themselves looked after the children, giving them milk and food. An eye-witness told me that he had seen the soldiers make a collection among themselves for the benefit of a destitute family. An officer on duty, who happened to be a friend of mine, left me no peace until I had entrusted my wife and children to him so that he might take them to his own house not far off. During the hours of waiting in the *Cirque*, the soldiers whose duty it was to collect all weapons, did their utmost to speak German as best they could. In a word, each one did all that was in his power to succour the fugitives. ¹

This account, written from the heart, fully confirms what I know and what is indeed a matter of general knowledge. On page 14 of the pamphlet I have already mentioned, *Die Belgischen Greuel-taten*, it is stated that, at Brussels, between August 6th and 8th, two women were so beaten that one of them died in consequence; that two children between the ages of three and five were, in two different streets, thrown out of second-floor windows, and one of them subsequently beaten to death; finally that several men had their eyes gouged out and their ears cut off, and that a

¹ See also *Kölnische Zeitung*, No. 901 of August 10th, which contains a similar account.

butcher was disembowelled, and that at Antwerp, the hotel-keeper Weber was murdered.

There is not a word of truth in all this.

It is to be noted that at Antwerp, an official inquiry, undertaken by the Bench itself, found that no offence had been committed against Germans or Austrians either on August 6th, or at any other date; as for the hotel-keeper Weber, he went to Holland where he lived for a long time in perfect health.

Nevertheless, it is not for inaccuracy of statement or exaggeration of facts that I find fault with the authors of this propaganda pamphlet, who prefer to remain anonymous. They have doubtless received from various sources the information which they print. Their mistake lies in forgetting that passion and supposition are liable both to distort and to exaggerate impressions received in a moment of panic. Their crime, an unpardonable one, has been to spread, in an official guise, untruths of this nature, and to exploit them with a view to exciting resentment both between individuals and between nations.

I have taken the trouble to examine these three categories of accusations, whose systematic diffusion has had the disastrous result that, in the

greater part of Central Europe, the people of my country, so honest, so industrious, so hospitable, so good, are to-day held up by public opinion to the execration of the civilized world. The result is that there has been added to the undeserved disasters with which the German invasion has overwhelmed Belgium the moral torture of knowing herself calumniated, and suffering the defilement of her name.

But I might have abstained from this painful discussion.

For if war has been waged in Belgium in the manner in which everyone knows it has been waged, it is not in expiation of any presumed crime: it is in conformity with a code; it is in accordance with all the precepts of the special code of war which Germany has set up for herself.

Although a party to the international conventions signed at The Hague in 1899 and confirmed in 1907, Germany has in fact preserved a collection of rules of war which, both in the spirit and the letter, are far removed from those laid down by The Hague Convention, which has been called the charter of the law of nations in time of war.

It is this German war code that I propose to examine here. It is material to show that the

acts which have aroused the public conscience in the course of the hostilities carried on in Belgium are not by any means accidental; they are not a matter of personal, temporary, or local circumstances. They arise from a system, from a doctrine, and are what that system and doctrine required them to be.

There exists in Germany a manual of the laws of war on land.¹ This manual, which dates from 1902, was published by the historical section of the Grand General Staff in a compilation of studies prescribed for officers. It is therefore entitled to be considered, as the French translator of the manual, Paul Carpentier, rightly said, as is the nature of instructions emanating directly and officially from the German higher command.

The chief impression left in the mind of a reader of this code is that the German Grand General Staff has set its face against the modern tendencies which would confine the unchained passions of war within limits prescribed by the requirements of law and humanity.

From the very outset the manual contrasts the true characteristics of war with the conceptions of it formed by the conscience of our times.²

¹ *Kriegsgebrauch im Landkriege.*

² *The German War Book*, Professor Morgan's translation, p. 54.

But since the tendency of thought of the last century was dominated essentially by humanitarian considerations which not infrequently degenerated into sentimentality and flabby emotion (*Sentimentalität und weichlicher Gefühlschwärmerei*), there have not been wanting attempts to influence the development of the usages of war in a way which was in fundamental contradiction with the nature of war and its object. Attempts of this kind will also not be wanting in the future, the more so as these agitations have found a kind of moral recognition in some provisions of the Geneva Convention and the Brussels and Hague Conferences.

Moreover the officer is a child of his time. He is subject to the intellectual tendencies which influence his own nation; the more educated he is the more will this be the case. The danger that, in this way, he will arrive at false views about the essential character of war must not be lost sight of. The danger can only be met by a thorough study of war itself. By steeping himself in military history an officer will be able to guard himself against excessive humanitarian notions.

In many passages the manual refers to the violent contradictions between the opinions of professors of international law and those of the military.¹

All juristic demands to the contrary are as a matter of principle to be repudiated as being in fundamental conflict with the principles of war.

¹ *The German War Book*, p. 80.

And again:

The claims to the contrary put forward by some jurists are completely inconsistent with war and must be repudiated by soldiers.¹

A propos of a particular question, the manual also reproduces a characteristic passage of a German treatise on the law of war, prefacing it with a few lines in which it again marks the contrast which I have just pointed out.²

As regards the admissibility of reprisals, it is to be remarked that these are objected to by numerous teachers of international law on grounds of humanity. To make this a matter of principle, and apply it to every case exhibits, however, a misconception due to intelligible but exaggerated and unjustifiable feelings of humanity, of the significance, the seriousness, and the right of war. It must not be overlooked that here also the necessity of war and the safety of the State are the first consideration, and not regard for the unconditional freedom of prisoners from molestation.

Finally the general principle which, according to this German code, ought to dominate all modern war is clearly stated in these sentences which the jurists of the Grand General Staff put in the introduction to their work³:

¹ *The German War Book*, p. 78.

² *Ibid.*, p. 74.

³ *Ibid.*, p. 52.

A war conducted with energy cannot be directed merely against the combatants of the Enemy State and the positions they occupy, but it will and must in like manner seek to destroy the total intellectual and material resources of the latter. Humanitarian claims such as the protection of men and their goods can only be taken into consideration in so far as the nature and object of the war permit.

It is quite categorical. In war, everything must be subordinated to the achievement of the main end.

Against the law of war the German code opposes the object of war. As arbitrary as the object of the State the object of war takes into consideration only what will forward the realization of the plan formed by the belligerent. It allows them "to have recourse to all means which enable it to attain the object of the war."¹ This rule admits in practice of certain limitations, but they are all governed by "one's own interest,"² by "the recognition of one's own advantage,"³ to which one may add "Chivalrous feelings, Christian thought, higher civilization."⁴

Moreover—let there be no mistake—these restrictions are far from constituting a law of war:

¹ *The German War Book.*

² *Ibid.*

³ *Ibid.*

⁴ *Ibid.*

. . . They have in the course of the nineteenth century often led to attempts to develop, to extend, and thus to make universally binding these pre-existing usages of war; to elevate them to the level of laws binding nations and armies, in other words to create a *codex belli*, a law of war. All these attempts have hitherto, with some few exceptions to be mentioned later, completely failed. If, therefore, in the following work the expression "the law of war" is used, it must be understood that by it is meant not a *lex scripta* introduced by international agreements, but only a reciprocity of mutual agreement; a limitation of arbitrary behaviour, which custom and conventionality, human friendliness, and a calculating egotism have erected, but for the observance of which there exists no express sanction, but only "the fear of reprisals" decides.¹

It will be seen that the tendencies revealed by these comments are hardly in accord with the preamble which the Powers, including Germany, prefixed to the "Convention of July 29, 1899, regarding the laws and customs of war on land."

According to the view of the High Contracting Parties, these provisions, the wording of which has been inspired by the desire to diminish the evils of war, so far as military necessities admit, are intended to serve as general rules of conduct for belligerents. It could not be intended by the High Contracting Parties that the cases not pro-

¹ *The German War Book.*

vided for should, for want of a written provision, be left to the arbitrary judgment of military commanders.

Until a more complete code of the laws of war can be issued, the High Contracting Parties think it expedient to declare that in cases not included in the Regulations adopted by them, populations and belligerents remain under the protection and rule of the principles of the law of nations, as they result from the usages established between civilized nations, from the laws of humanity, and the requirements of the public conscience.¹

It is apparent that the two documents are not inspired by the same spirit. The divergence was so clear that it was intended to discuss the matter at the second Hague Conference in 1907.

As M. Louis Renault recently explained at the Institut de France²:

The Conference was concerning itself with inducing the Germans to give an explanation of the spirit of this manual, when a rather dramatic incident occurred. The German delegates made a proposal with the object of providing a sanction for the rules of the Convention. According to this proposal, slightly amended, and embodied as Article 3 of the Convention "a belligerent party which violates the provisions of the said Regulations shall, if the case demands, be liable to make compensation. It shall

¹ Pearce Higgins, *The Hague Peace Conferences*, p. 209.

² *Le Temps*, October 27th.

be responsible for all acts committed by persons forming part of its armed forces."

The Treaty is obligatory since the party who violates it is bound to make good the damage caused by the violation. The Conference took into consideration that the terms of the Convention in question should be observed not only by the commanders of the belligerent armies, but generally by all the officers, non-commissioned officers, and soldiers; thus possibly extending to international law, in all cases of violation, the principle of private law that the principal is responsible for his agents.

Some have wished to interpret the "dramatic incident," of which M. Renault spoke, as tactics with the object of evading the awkward questions which it was proposed to put to the German delegates. For my part I only wish to see in it evidence of the importance of the engagements made at The Hague by the forty-four Powers, and of the solemn adherence given to them by the German Empire.

Nevertheless the German code of 1902 has continued in force. Not only has the Grand General Staff modified nothing in it, but various jurists of authority in Germany have not hesitated, both to defend it and to denounce the divergence which separates it from The Hague Convention.

These jurists cannot conceive of a law of war

not subject to modification by a "state of necessity" (*Notstand*) and we shall see what remains of the law when so modified.

There is no violation of the law of war [writes Meurer] when an act of war is necessary for the maintenance of troops or for their defence against a danger which cannot be avoided by any other means, or to attain or consolidate the success of a military operation not in itself prohibited.¹

A similar impression is obtained from the perusal of a work which has just appeared and in which one of the editors of *Jahrbuch des Völkerrechts*, Dr. Karl Strupp, surveys in detail the law of war on land.² In his introduction he freely develops the idea that there can never be any question of limiting the freedom of the command and that above all law of war is always placed the object of war.³

Strupp, moreover, takes great care⁴ to discover in the proceedings of The Hague Conference the notion of "a state of necessity." This notion, he says, appears there, as distinct from the "military objective" and more comprehensive than it. Thus the destruction of enemy property is per-

¹ *Die Haager Friedenskonferenz*, II. Band, p. 14.

² *Das Internationale Landkriegsrecht*, 1914.

³ *Ibid.*, p. 5.

⁴ *Ibid.*, pp. 7-8.

mitted by Article 23 (g) of The Hague Convention in exceptional cases when it is urgently dictated by the necessities of war; for example, in order to reach hostile positions artillery may bombard an intermediate village. Here there is present a "military objective" imposed by the technical conditions of war. But "the state of necessity" would include, in a general way, all cases which can arise in the course of the operations:

Thus troops may be obliged to allow prisoners to die of hunger, if the Command deems that that is the only means of carrying out an order which it has received. For example, to reach at the proper time a position indispensable for the success of the operations,¹ . . . the provisions of the laws of war can be disregarded whenever a violation appears to be the only means of carrying out an operation of war or assuring its success, or even of preserving the armed forces, even if only a single soldier is concerned.²

Uncertain as some of the provisions of international law may be at the present day—as Professor Max Huber has shown with reference to the idea of necessity in war³—it is not possible that such interpretations should meet with the approval of those who concluded The Hague

¹ *Das Internationale Landkriegsrecht*, 1914, p. 7.

² *Ibid.*, p. 8.

³ *Zeitschrift für Völkerrecht*, vol. vii., p. 363.

Convention of 1899, and solemnly renewed it in 1907. And if these interpretations are to prevail it would be more dignified on the part of certain Powers not to associate themselves at all with a work which really becomes merely a hypocritical parody of law.

The general spirit of the German code is apparent in every one of its particular rules and the result is a striking unity of conception which cannot fail to leave a decisive imprint on the training of officers.

Thus the application of the various methods of war is governed by the following principle¹:

What is permissible includes every means of war without which the object of the war cannot be obtained; what is reprehensible on the other hand, includes every act of violence and destruction which is not demanded by the object of war.

The idea that the end in view must be the governing—if not the exclusive—consideration is found in the commentary on this rule²:

As a supplement to this rule, the usages of war recognize the desirability of not employing severer

¹ *The German War Book*, Professor Morgan's translation, p. 64.

² *Ibid.*, p. 65.

forms of violence if and when the object of the war may be attained by milder means, and furthermore that certain means of war which lead to unnecessary suffering are to be excluded.

It follows from these general propositions that all devastation, destruction, and injury is permissible whenever it is demanded by the necessities of war.¹

No harm must be done, not even the very slightest, which is not dictated by military consideration; every kind of harm may be done, even the very utmost, which the conduct of war requires or which comes in the natural course of it.

Ultimately, the application of these rules rests upon the absolute power of the command.²

Whether the natural justification exists or not is a subject for decision in each individual case. The answer to this question lies entirely in the power of the Commanding Officer, from whose conscience our times can expect and demand as far-reaching humanity as the object of war permits.

Further, as another passage says,³

wide limits are set to the subjective freedom and arbitrary judgment of the Commanding Officer.

. . . If in the following pages, we develop briefly

¹ *The German War Book*, p. 124 or again p. 125.

² *Ibid.*, p. 125.

³ *Ibid.*, p. 64.

the principles . . . it must none the less be clearly emphasized that the necessities of war not only allow a deviation from these principles in many cases but in some circumstances make it a positive duty of the Commander.¹

It is appropriate to emphasize the consequences which the German conception of "the necessities of war" imposes on a commander of troops.

The first of these consequences clearly appears in the quotations which we have just given; it is the consecration of arbitrary rule. The command may proceed to the violation of the provisions of the most solemn treaties, "if it thinks it necessary."

I have no wish to discuss here the validity of the supreme principle of necessity; I will limit myself to the remark that it should be well understood and judiciously applied. It is a dangerous principle; necessity has never been in the eyes of jurists a matter of justification except in the case of a really inevitable necessity, a necessity which is absolute. But subjected to the interpretation of a military commander this so-called necessity is inevitably transformed into mere expediency.

Now the point is just the danger that the principle of necessity in practice often degenerates

¹ See pp. 147-148.

easily into a mere rule of expediency; and what is still worse, of an immediate expediency. It cannot be otherwise when its application is entrusted to men such as the commanders of troops, whom quickness of action and self-confidence are specially apt to lead to fling all scruples aside. Moreover in every sphere the principle of immediate expediency is subversive of all law and all morality. Law and morality have as their function the repelling of appeals to egoism and personal necessity. To say to a military commander that he can put a man to death without trial, that he can shoot the mayor of a locality because an inhabitant has fired on a soldier, that he can for the same reason shoot one inhabitant out of ten, that he can set fire to a defenceless village, if these things are necessary, allows in fact this military commander to commit all these acts every time he thinks it useful; that incites him to the violation of all treaties, and of all rules of international law. It is expedient, it is "necessary" to place before troops a human barrier formed of civilians if one wishes to prevent the troops from being destroyed; the enemy will not dare to fire, or he will fire less, and the lives of the German soldiers will be spared. It is expedient, it is "necessary" to reduce a village or a town to

ashes if the civilians there have fired; for such treatment, to be repeated if necessary, has the result of preventing any one laying hands on the German soldiers whose life and well-being are "necessary" to the defence of the Fatherland. I said, "Reduce a town to ashes, because civilians have fired," but the application of the principle of necessity is even worse; one reduces a town to ashes because one believes, because one has reason to believe, because one is pleased to believe, that civilians have fired.

I will go back for a moment, and emphasize here that it is just this military conception of the principle of necessity which inspired the Imperial Chancellor to make his famous exclamation, "*Not kennt kein Gebot*" ("Necessity knows no law"). The Chancellor was not then speaking the language of a statesman, otherwise he would have perceived that his declaration was the very negation of the solemn engagements of Germany.¹ It was the war-men who expressed themselves through his mouth, and who suggested to him the dangerous dialectic of the military theory of the principle of necessity. Who can believe to-day that to pass through Belgium and Luxemburg was a "necessity" for Germany, that, in

¹ See p. 69.

other words, it was the one and only means of carrying on a victorious struggle against her enemies? In what in fact did the occupation of Belgium end? In the occupation of Belgium, and not in the destruction of the French forces. Who could have asserted, in July or in the first days of August, that it was an absolute certainty that in concentrating all her efforts against the French barrier on the west, the German army would not have succeeded in effecting a breach with the help of those great guns, of the existence of which foreign countries as yet knew nothing? Who could assert indeed that there were not other possible plans of campaign? . . . The fact is that the German General Staff had chosen that which appeared to it the best. But that which appears to be the best is not therefore "necessary." And if the military authorities made light of this embarrassing but elementary distinction, it was the duty of the political authorities to refuse to follow them.

Returning to the German rules of war, it is well known that the events in Belgium have afforded abundant evidence that in the course of military operations the military command had no scruples whatever, in its blind application of the rule of necessity. I will quote by way of example cer-

tain passages of the proclamation displayed at Grivegnée, near Liège, by Major Commandant Dieckmann:

By September 6, 1914, at four in the afternoon, all arms, munitions, explosives, and fireworks, still in the possession of citizens must be delivered up at the Château de Bruyères. Any one who does not do so will be liable to the death penalty. He will be shot at sight, or bayoneted, unless he proves that he was not at fault.

All the inmates of inhabited houses in the localities of Beyne-Heusay, Grivegnée, Bois-de-Breux must be at home by nightfall.¹ The said houses must be illuminated as long as any one in them is up. The outer doors must be locked. Any one who does not conform to these rules will expose himself to severe penalties. Any resistance whatever to these orders involves death.

The Commandant must not meet with any difficulty in his domiciliary visits. Everybody is requested without special demand to show every room in the house. Any one who resists will be severely punished. . . .

I require that all civilians who move about in my area, and especially those of the localities of Beyne-Heusay, Fleron, Bois-de-Breux, Grivegnée, show respect to German officers by taking off their hats, or by carrying their hand to their head as for the military salute. In case of doubt, every German soldier should be saluted. Any one who does not do

¹ Now 7 P.M. German time.

this may expect the German soldiery to exact respect by any means in their power.

The German soldiery may inspect vehicles, packages, etc., of all the inhabitants of the neighbourhood. Any resistance in this matter will be severely punished.

Any one who has knowledge that quantities of more than one hundred litres of petrol, benzine, benzol, or other similar liquids exist in a place within the above-mentioned districts, and who has not reported them to the military commander there stationed, will, if there is no doubt as to the place and the quantity, incur the penalty of death. Quantities of one hundred litres are alone regarded.

Any one who disobeys a command to hold up his hands, incurs the penalty of death.

Entry to the Château de Bruyères or the roads of the park is forbidden under pain of death from dusk to dawn to all persons save soldiers of the German army.

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Any one who by the dissemination of false news of a nature calculated to injure the *morale* of the German troops, or any one who in any way seeks to contrive against the German army, makes himself a suspect, and incurs the risk of being shot at sight.

The death penalty for any one who fails to report a petrol depot,—the death penalty for any one who refuses to illuminate his house as long as any one is up in it,—the death penalty for any one who

spreads news calculated to injure the *morale* of the German troops: it is impossible to conceive a more intolerable manifestation of arbitrary power.

But there is another consequence of the German precepts as to the attitude of the command.

Having merely for its criterion of conduct the object of the war, the command may have recourse to methods far removed from the immediate exigencies of military operations; intimidation, terrorism, and, generally, any proceedings calculated to engender fear or submissiveness are recognized, not by way of defence or punishment, but with a view to preventing hostile acts or their repetition.¹ On this subject a particular rule is enunciated with reference to the relations between the army occupying a territory and the inhabitants of the territory²:

. . . to employ ruthlessly the necessary means of defence and intimidation is obviously not only a right but indeed a duty of the staff of the army.

Generally speaking, a commander should be inspired by this sort of humanitarian paradox³:

. . . that certain severities are indispensable to war, nay more, that the only true humanity very often lies in a ruthless application of them.

¹ See *The German War Book*, p. 121.

² *Ibid.*, p. 120.

³ *Ibid.*, p. 55.

One can easily imagine the mentality of a commander impregnated with such a spirit. Always in fear of "yielding to the solicitations of exaggerated sensibility," experiencing the weight of the responsibility resting upon him if he neglects to conform in all his relations with the necessities of war, and impatient to arrive at his goal, he chooses the most rapid way and excuses to himself the harshness which his choice involves. As between two reports he is led to accept the worse; pushed to action because he fears the consequences of postponement he is little disposed to delay punishment by the dilatoriness of trial. Removed, in the midst of the realities of war, from all pressure of public opinion, drawn on by the example of others less scrupulous than himself, he is liable to lose all critical sense and to found his judgment on what is really mere coincidence.

Thus, for instance, a German detachment enters a Belgian village; it finds a few peasants around a newly made grave, some of them are still spade in hand. Beside them is the corpse of a German officer. The corpse is examined, the temple is found to be pierced by a revolver bullet; the wound is not one such as would be received in battle. The clothes of the dead man are searched; the search discloses that all his personal belongings

have disappeared. "These people have killed and robbed our comrade," cries the commander of the detachment, "punish the village! That will serve as an example to others." Eight farms are burnt; the village is sacked, the soldiers take money, valuables, clothes, and provisions; women are violated; men are tied up, led to a field, insulted and threatened with death. In the evening fourteen people are killed. They are:

G. Deboetz, C. Bourguignon and his two sons, J. Maillard, J. Jonniaux, A. Bitanne, J. Triffaux, L. Divraad, E. Dalhe, H. Penhar, L. Desisans, E. Jonniaux, and his wife L. Verdael.

Amongst them are the peasants of the morning. The corpses are buried in a field by the Germans.

That which I have just described happened at Linsmeau, a little village of the province of Brabant, on Monday, August 10th, a short time after the occupation of Liège.

But I have not told the early part of the story, which was not known to the commander of the detachment.

On the morning of the fatal Monday, on the high road of Linsmeau, some Belgian soldiers met some German soldiers making a reconnaissance. Shots were exchanged, and the German soldiers re-

treated. An officer fell. The Belgians approached: he was their first victim, never before had they wounded or killed any one. Their commanding officer did not conceal his emotion. They gathered round the officer as he lay on the ground. Suddenly he got up, seized his revolver, and threatened those who stood around him. He defied them with proud and wild words. One of the Belgians fired and the bullet struck the officer on the temple: he fell. Emotion choked them; before this inert form their pity increased. "Let us take his belongings from him," said one of the men. "We will send them to his family." The objects were collected and placed in a pocket handkerchief with its corners tied up. The little packet was taken to the Vicar of a neighbouring village and he was told, "When the Germans pass by give this to an officer and ask him to have the contents sent to the family of the man who lies dead up there." Then some peasants were called and asked to dig a grave to bury the victim. The Belgian soldiers went on their way; the peasants, talking over the occurrence, slowly applied themselves to their sad task. They were still busy with it when the main body of the German detachment passed by Linsmeau.

These facts, established by irrefragable proofs

which have been furnished to me, should suffice. They are a perfect illustration of the German system of war and of the consequences which it involves in the mentality of the officers. All that I have said above is verified here to the letter.

But there is a practice of war wholly characteristic of the German system which has received many a sad application in Belgium; I mean that of collective repression.

What is to be understood by "collective repression"? It is both defined and forbidden in the text of Article 50 of the Second Hague Convention with regard to the Laws and Customs of War on Land.

No general penalty, pecuniary or otherwise, can be inflicted on the population on account of the acts of individuals for which it cannot be regarded as collectively responsible.²

This is clear and explicit.

If in any place some persons have been guilty of unlawful acts, it is forbidden to punish the locality as a whole in any manner whatsoever.

Here also German lawyers who comment on the code of 1902 and on the Hague Convention are

² Higgins, p. 247.

forced to restrict the application of Article 50 by subtle dialectic. In particular Strupp, of whose recent work I have spoken, writes with regard to the events which have occurred in Belgium during the present war¹:

These are intentional and deliberate infractions of the laws of war, but they were nothing more than a reaction against and a threat with regard to the violations already committed by the enemy; in spite of their horror they thus appear to us as having been necessary measures and in conformity with international law (*völkerrechtsgemäss*).

It has been seen in the preceding pages how little foundation there is for the accusations made against the Belgian population and how rash it therefore is to try to find a justification for the measures of reprisal taken by the German troops. But even if outrages had been committed by particular individuals, the population as a whole cannot be considered as having a collective responsibility. Hence the Hague Convention should have been observed. And it is not possible to deprive it of force by distinguishing, as Strupp does,² the passive responsibility of the authorities from the active responsibility of the inhabitants,

¹ *Das Internationale Landkriegsrecht*, p. 9.

² *Ibid.*, pp. 9 and 108.

for in Belgium the authorities—all the authorities—so far from not intervening, had taken from the very beginning, as I have explained, rigorous measures to ensure complete calm.

But I do not wish to deal at greater length with the controversies which have been raised in so unexpected a manner by German lawyers, and I return to cases of collective repression which in Belgium has been applied both to localities and to their inhabitants.

It will have been observed that the text of Article 50 of the Hague Convention specially mentions the infliction of a collective fine: in this it has in mind a war contribution in so far as this has the character of a collective repression. Although it is forbidden by virtue of this Article it has been several times applied in Belgium by German commanders.

Thus the following words occur in the proclamation posted up at Wavre on August 27th by Lieutenant-General von Nieber:

On August 22, 1914, the General Commanding the Second Army, General von Bülow, imposed on the town of Wavre a war-levy of frs. 3,000,000 (£120,000), payable up till September 1st, to expiate the heinous conduct, contrary to the Laws of the Rights of Nations and the Customs of War,

which they showed in making a surprise attack on the German troops.¹

More characteristic still is the notice affixed in Brussels on November 1st by the Governor of Brussels, Baron von Lutwitz:

The town of Brussels apart from its suburbs has been punished, on account of the attempt committed by one police agent, de Ryckere, against a German soldier, by the imposition of an additional contribution of five million francs.

It will be observed that the same proclamation states that the agent in question had been condemned to five years' imprisonment for the crime mentioned above and for another offence. It will be agreed that it would be difficult to find a more complete transgression of the Hague Convention.

In other cases, much more numerous, the war contribution imposed belonged to the class of requisitions on the subject of which the Hague Convention expressly stipulates² that they should only be claimed "for the needs of the army occupying the country" and that they "should be in conformity with the resources of the country."

It has not been possible for me to obtain a list of the war contributions imposed in the various

¹ Sixth Report of the Belgian Committee of Inquiry.

² Article 52.

parts of the country, but, from what has been established beyond all possible doubt, we may assert that the two conditions just mentioned have not in the least been the guiding principles in Belgium. In the first place in nearly all cases it has been a question of supplying the needs, not of contingents occupying the country, but of armies of invasion often engaged in the struggle against France and England. Further—and this is the most important point—the contributions imposed were obviously disproportionate to the resources of the locality. Sometimes instead of allowing some sort of a composition for requisitions in kind, these were imposed in addition without its being possible to ascertain even approximately the principles of taxation.

But collective repression has taken many other forms besides that of the imposition of fines and I should like to deal at greater length with this question by citing proclamations which have emanated from German authorities in the localities occupied. I emphasize the passages which imply collective repression and give the original texts:

At Hasselt on August 17th:

Should the inhabitants fire on the soldiers of the German army a third part of the male population will be taken away.

At Liège, August 22d¹:

The inhabitants of the town of Andenne, after having asserted their pacific intentions, have treacherously surprised our troops.²

It is with my consent that the General in charge has burned the whole locality and that one hundred persons have been shot.

I bring this fact to the knowledge of the town of Liège in order that the inhabitants may realize the fate with which they are threatened if they assume a similar attitude.

At Namur, August 25th³:

The people of Namur ought to understand that there is no greater or more horrible crime than that of endangering the existence of the town and the life of the inhabitants by making attempts on the German army.

At Wavre, August 27th⁴:

On August 22, 1914, the General commanding the second army, M. de Bülow, imposed on the town of Wavre a contribution of war of three million francs payable before September 1st as a punishment for their indescribable conduct in violation of international law and of the usages of war in attacking German troops by surprise.⁵

¹ General von Bülow.

² This, according to the Sixth Report of the Commission of Inquiry, is a mere assertion contradicted by the inhabitants.

³ General von Bülow.

⁴ Lieutenant-General von Nieber.

⁵ In reality the civil population did not take any part in the

The town of Wavre will be burned and destroyed if the payment is not made in time, without respect of persons; the innocent will suffer with the guilty.

At Brussels, September 25th¹:

It has recently happened in districts which are not at present more or less strongly held by German troops that supply columns or patrols have been surprised and attacked by the inhabitants. I draw the attention of the public to the fact that a register of towns and of communities in the neighbourhood of which such attacks have taken place is kept, and that they must expect to be punished when German troops are in their neighbourhood.

At Brussels, October 5th¹:

In the evening of September 25th the railway line and the telegraph line have been destroyed between Lovenjoul and Vertryck. In consequence the two places mentioned have had, on the morning of October 3d, to give an account of this. In future, places which lie nearest the spot where such acts have taken place—whether they are accomplices or not—will be punished without pity.

The texts of these various proclamations will no doubt cause surprise. They are nevertheless in

hostilities, a medical inquiry having proved that the German soldier who was wounded had been wounded by a German bullet (meeting of the Commission of Inquiry, September 7, 1914, third witness).

¹ Field-Marshal von der Goltz.

complete conformity with the general dispositions which the German war organization contemplates. Here also we are dealing with a system, and it is the system of which it is important to know much more than the incidents of its application.

In the work of Strupp of which I have spoken, there appears in the appendix a model of a proclamation drawn up in view of the present war. The following passage occurs in it¹: "The whole town is responsible for the acts of each of its inhabitants."

I have before me a small book published at Berlin in 1906 by Bath. It is the military phrase-book intended for German officers acting as interpreters in countries where French is spoken. The text-book, which has the sub-title *Zum Gebrauch im Feindesland*, "For use in an enemy country," contains, according to the introduction, the French text of most of the documents, letters, proclamations, and other papers which it may be necessary to use in time of war.

Now among these documents there are to be found ² several models, which, taken together, would constitute a complete text-book of collective repression. I note, for example:

¹ P. 248.

² P. 128 *et seq.*

A fine of 600,000 marks, owing to the attempted assassination made by a . . . on a German soldier has been imposed on the town of O by order of . . .

Unavailing efforts have been made to postpone the payment of this sum or to reduce it.

The period fixed for payment expires to-morrow, Saturday, December 17th, at midday.

Bank notes, cash, and silver will be accepted.

In the following formula also the repression takes the form of a pecuniary contribution and it also has in view collective punishment for individual acts when there is no evidence of collective responsibility.

The German authorities having demanded a war contribution of two million francs from the town of M. because the inhabitants shot on the troops when entering the town, and the municipality having declared that they do not possess the necessary funds and that they cannot get the money from the inhabitants, the German authorities demand a settlement by means of letters of exchange.

The following is the formula for burning down whole localities:

I acknowledge the receipt of your letter dated the 7th of this month notifying me of the great difficulties which you believe you will experience in obtaining contributions. . . . I can only express my regret at the explanations which you have

thought it desirable to offer me on this matter. The order in question emanating from my Government is so clear and precise, the instructions which I have received on this matter are so categorical, that if the sum of money due from the town of B. is not paid it will be burned without mercy.

The following formula is even more characteristic if one bears in mind what I have said above¹, about the very frequent cases where the destruction of bridges, railways, etc., in Belgium was due not to civilians, but to small detachments or even to isolated soldiers:

In consequence of the destruction of the bridge of F. I order:

The district will pay an extraordinary contribution of ten million francs by way of a fine. This is brought to the knowledge of the public who are informed that the method of spreading this sum will be indicated at a later date and that the payment of the sum mentioned will be exacted with the greatest severity. The village of F. has been at once burned with the exception of some buildings reserved for the use of the troops.

What can I add to this irrefutable evidence? Is it necessary to give accounts of atrocities which the reader dare not believe and which one can only try to forget so shocking are they to modern

¹ P. 232.

consciences disaccustomed to cruelty? The accounts might be regarded with suspicion, they might be accused of exaggeration. I prefer not to dwell on them in these pages, whose main aim is to consider the facts in their general relation to law. The facts pass, the law remains. It need not cause surprise therefore that I do not pause to describe, as so many others have done, scenes of destruction and incendiarism, or to find out how many streets have been destroyed at Louvain or how many persons shot at Dinant, or to discuss the circumstances which may have led, here and there, German commanders to think that civilians had fired. Further, I do not say that wherever the German troops have passed they have sown ruin and desolation, nor do I say that they have systematically destroyed works of art. I will not say this, because it is not true. But I do say that the German armies have a system of war which is unjustifiable, that this system of war is applied in an arbitrary manner, brutally and inconsiderately, and that the acts to which it leads, far from being capable of denial, are the normal, inevitable, automatic outcome of the system. This I say because it is true.

Moreover all these accounts would weaken the force that the official proclamations which I have

reproduced derive from their conciseness. When the General Commanding-in-Chief von Bülow writes, "It is with my consent that the General has burned the whole locality of Andenne and that one hundred persons have been shot," it is almost superfluous to describe acts of incendiarism and the shooting of civilians:

It was a vision of Hell [writes an eye-witness, who deserves the fullest credence]. I seemed to see by the light of the flames soldiers pushing back with the bayonet people who wanted to escape from their burning houses. Mingled with the sound of the rifles were the sharp crackle of machine guns and the explosions of bombs. A machine gun was placed in a shop in the principal street and from there was directed against the houses opposite.

It was a moving spectacle to see all these old men, women, and children forced to march towards La Place des Tilleuls, where the populace was being collected together. One paralytic was brought there in a bath chair, others were carried. The men were separated from the women and children. It was at first proposed to shoot them all *en masse* with machine guns, then to kill several at a time by placing them one behind another in three ranks. Finally they picked out three, who were executed against the houses in the Place before the eyes of everybody. The men were then divided into various companies and were led, some towards the Meuse to be shot there, others to be imprisoned as hostages.

This is horrible, you say. Well, all horrors are possible when free rein is given to soldiers. All the victims were innocent? No doubt, but it is just because they were innocent that they were struck down. At the moment of writing these pages, I read in the *Frankfurter Zeitung* of January 6th¹ that the account of the so-called fighting of *francs-tireurs* of Andenne, given by the correspondent whom I have already mentioned,² is false in essential particulars. Oberlieutenant von Eulwege has in fact just replied to the *Pax-Informationen* that the vicar of Andenne did not excite the populace to street fighting. "Moreover," he adds, "the greater part of the inhabitants were not able to see anything because they were hidden in their cellars."

And these are the inhabitants whom General von Bülow accuses of having "treacherously surprised the German troops."

But why discuss further? Lieutenant-General von Nieber said to the town of Wavre: "The innocent will suffer with the guilty," and the Governor-General in Belgium, Field-Marshal von der Goltz, has confirmed this: "Localities will be punished without mercy, it does not matter whether they are accomplices or not." Thus a

¹ No. 6 *Abendblatt*.

² P. 245.

correspondent of the *Kölnische Zeitung*, speaking of Tamines, can write with perfect sincerity:

Then, not being able to get at those who had fired, the rage of our troops was directed against the little town. Without delay it was given over to the flames and it has become a heap of ruins.

I have explained why I do not lay emphasis here on the excesses committed in too many places by German troops. I wish, however, to recount how one of my old pupils of the University of Brussels was killed when on his holidays at Francorchamps, together with other persons as indisputably innocent as himself, when this little picturesque village was put to the flames and sacked.

Three shots were fired on Saturday August 8th at half-past eight in the morning. By whom? At whom? Why? For four days the German columns had been passing in perfect tranquillity; it was warm, and the peasants had put buckets of water along the side of the road in order that the German soldiers might be able to quench their thirst; the officers were guests at the hotel; the population of the village and the small colony of people from Brussels spending their holidays there were already becoming accustomed to the passage

of the troops. . . . But suddenly comes the fatal cry, "*Man hat geschossen!*" ("Someone has fired!"). The innocent must pay for the guilty.

And suppose that no one was guilty?

Now it happens that I am to-day in a position to state precisely the origin of the three shots heard on the morning of August 8th. Up till the middle of August small detachments of Belgian cavalry had pushed their reconnaissances behind the German line under cover of the woods which are very numerous round about Spa. Thus it happened that on August 8th, early in the morning, two gendarmes and two lancers were hidden in the thickets of Francorchamps. Seeing the German column resting they shot at them. The Germans, on the other hand, not having met with any Belgian troops in those parts since their entry into the country, imagined that the shots could only come from civilians, and at once, without any inquiry, collective repression burst out without mercy.

There was therefore no one guilty at Francorchamps. In expiation of what crime was it then that the peasants of the Ardennes and the holiday-makers of Brussels were killed?

That is indeed the true question which arises. What is the real object of collective repression?

What has been the object of the destruction of the beautiful parts of Louvain, of the sack of Dinant and Aerschot, of the massacres of Tamines and Andenne, of the devastation of the Ardennes and the district between the Sambre and the Meuse, the country of Wavre and Vilvorde, of the burning of so many peaceful and prosperous villages? It is not punishment, since in most cases there has been no crime, and since in any case the punishment is out of all proportion to the offence.

The inscriptions appearing in various places on the houses which were spared during methodical pillage and incendiarism indicate, moreover, how little attempt is made to base repression on equitable grounds. "Good people: to be spared" (*Gute Leute; schonen*). "They gave us food to eat." (*Man hat uns zu essen gegeben*). "Poor people who are ill." (*Arme kranke Leute*).¹ What is the meaning of these statements? At what price have the inhabitants been able to purchase the complaisance of the soldiers passing through? Was there not one who was more disposed than his comrades to mercy? Here it has happened that someone in the house uttered a few words of German; there, that the nursemaid was a German. What have these considerations to do

¹ See *Kölnische Zeitung*, September 10th.

with the matter? The only question of importance is that of the innocence or guilt of the resident in the house that is protected or the house that is sacked? Why are such flimsy presumptions to decide that one man will keep his life and a family its home, while others lose them?

No! Collective reprisals on innocent people are without any foundation in law. They have no other object than that of sowing terror amongst the inhabitants, whether with the object of facilitating the invasion of the territory or with a view to intimidating the troops of the enemy and preventing certain inconvenient operations. "Experience has shown," one finds for instance in the code of war "that a contribution in money produces the greatest effect on the civil population." And here we find the goal of the system of methodical terrorism which the German code of warfare expounds.

That this system produces effective results is sufficiently attested by various episodes observed in Belgium. So far from there being any rising of the populace against the invader, the mere news of the approach of the German troops was sufficient to cause the exodus of veritable crowds. Thus according to an account taken from the *Kölnische Zeitung* of October 15th, not only did

twelve scouts succeed in putting to flight the whole population of Selzaete, but the inhabitants were even seen calling upon the Belgian soldiers not to fire at the invaders. In certain villages the fear was so great that the inhabitants went so far as to facilitate the passage of the German columns in order to get them away as quickly as possible, and so avoid incidents from which the worst form of reprisals might arise. In Flanders, with a Flemish and agricultural population, as well as in Hainaut with a Walloon and industrial population, the inhabitants hung up small white flags with which to beg for mercy.

Such is the end that is deliberately pursued. It is true that the inhabitants cannot be compelled to co-operate directly in the action of the enemy against their country.¹ But the same object can be attained by means of intimidation. Field-Marshal von der Goltz knew what he was doing when he issued his threatening notice to the inhabitants of the districts bordering on the railway line between Lovenjoul and Vertryck. It is true that the rails and telegraph wires had been destroyed on this line, but this destruction, as I know, was deliberately carried out by Belgian soldiers who had been entrusted with the duty

¹ Article 44 of The Hague Convention.

of cutting communications behind the lines of the enemy. Decorations have indeed been publicly granted to those who carried out these exploits. Now by threatening a "punishment without mercy" the German authorities aimed at gaining the complicity of the civilian population itself and using it as their informant, so that each inhabitant of the villages was exposed to military vengeance before the appalling alternative of either pointing out a soldier who was going to accomplish his duty towards the common fatherland, or of condemning to death his relatives, his friends, his neighbours, who had been taken away as hostages.

When, during the sack of Louvain, the unfortunate inhabitants were taken across the country and were then made to travel in a famished condition into Germany, cooped up in cattle trucks, and exposed to the insults of the populace, only to be brought back again to Brussels and finally set free after having been threatened over and over again with being shot; when sham executions were indulged in before spectators who were compelled to assist and even to applaud,¹ can there have been any other object than to sow terror by a refinement of cruelty?

¹ See Fifth Report of the Commission of Inquiry.

Now, it is hardly necessary to point out that though intimidation may assure to those in command the docility of the terrorized population, such a result and many others would be much more surely gained by an attitude of gentleness, kindness, justice, and humanity. This attitude provokes neither hatred nor resentment, but creates without effort an atmosphere of calm, however implacable the hostility of the people may remain. Thus nothing justifies intimidation; it is a baneful system, contrary to human nature.

The same must be said with regard to the taking of hostages, a practice which has frequently occurred in the course of the German occupation of Belgium. Provision is clearly made for it in the precepts contained in the military phrase-book of which I spoke before.¹ In Belgium various proclamations of the leaders of the army have formally authorized this taking of hostages²:

At Namur, August 25th³:

All the streets will be occupied by a German guard who will take ten hostages in each street whom they will keep guarded. If any attack takes place in the street the ten hostages will be shot.

¹ P. 255. See p. 129 of the book.

² I reproduce the original text.

³ General von Bülow.

At Brussels, October 5th¹:

With this object hostages have been taken from all places bordering on the railways which are threatened with such attacks, and on the first attempt to destroy the railway track, the lines of telegraph or of the telephone, they will be at once shot.

At Grivegnée, September 6th²:

After 9 A.M. on September 7th, I will permit the houses in Beyne-Heusay, Grivegnée and Bois-de-Breux to be inhabited by the persons who lived in them formerly, as long as these persons are not forbidden to frequent these localities by official prohibition.

In order that the above-mentioned permit may not be abused, the Burgomasters of Beyne-Heusay and Grivegnée must immediately prepare lists of persons who will be held as hostages for twenty-four hours each at Fort Fléron.

The life of these hostages depends on the population of the above-mentioned Communes remaining quiet in any circumstances.

From the list which is submitted to me I will designate persons who shall be hostages from mid-day till the following mid-day. If the substitute is not there at the correct time, the hostage must remain another twenty-four hours at the fort. After these twenty-four hours the hostage will incur the penalty of death, if the substitute has not presented himself.

¹ Field-Marshal von der Goltz.

² Major Dieckmann.

Priests, Burgomasters, and Members of the Administration are to be taken first as hostages.

These examples will suffice; they could be indefinitely multiplied.

Once again no surprise need be felt at the action of the German armies in the field. The code, whose spirit I have explained, sanctions these acts in express terms.

The taking of hostages has become more rare in contemporary wars, from which fact some professors of international law have wrongly concluded that it had disappeared from the laws of war among civilized nations.

And after asserting that this practice was current in various campaigns in the nineteenth century, the author of the German manual adds:

We must accordingly reject the unfavourable judgments expressed on the subject of the employment by the German army of this means of warfare in isolated cases and for diverse reasons.

As a matter of fact it is by no means in isolated cases that the German commanders have insisted on the surrender of hostages, and the opinion of the legal adviser of the Grand General Staff is very far from being that of contemporary specialists on the laws of war. The rules annexed to The

Hague Convention do not deal with the question of the taking of hostages, but the prohibition of collective punishment in consequence of individual acts for which the group cannot be held responsible, involves the condemnation of this practice. Further, as the life of individuals must be respected¹ there can be no question of deciding to put hostages to death in those cases where the conditions for which they are held guarantors cannot be carried out. Even if hostages were in the same position as prisoners of war, they would have the right to their lives. This is the point of view assumed as early as 1863 in the *Instructions for the Armies in the Field of the United States of America*.²

The only explanation which is possible of this persistence of a practice which is so little in conformity with the ideas of our time and with the evolution of the laws of war, is to be found in the fundamental principle which inspires the whole of the German code: it is necessary above all things so to act as to produce intimidation.

In the evening of August 27th, the day after the devastation of Louvain, a wireless message came from Berlin³:

¹ Article 46.

² Article 54.

³ See *The Times* of August 29th.

The only means of preventing surprise attacks from the civil population has been to interfere with unrelenting severity and to create examples which, by their frightfulness, would be a warning to the whole country.

This is precisely the same idea as a German, Herr Bloem, expressed on February 10, 1915, in the *Kölnische Zeitung*: measures of reprisal are much less in the nature of punishments than in the nature of warnings (*Warnungssignale*):

There can be no doubt of this; the burning of Baltice, Herve, Louvain, Dinant, was carried out by way of warning. The inevitable incendiarism and the blood poured out during the first days of the war have deprived the great Belgian towns of all temptation to assail the garrisons, necessarily weak, which we left behind. If Brussels is occupied by us, and if we move about there to-day as if we were at home, can anyone doubt for a moment that it is because the capital is afraid of us and trembles before our vengeance (*vor unserer Rache zittert*)?

Such is the system of war which all-powerful Germany has deliberately applied to Belgium, as attested by the very people whose aims are to be served by the adoption of such methods.

That a war so conducted is contrary "to the laws of humanity and the requirements of the

public conscience," to quote the terms of the rules formulated at The Hague, must be obvious to everyone. Be the aim of the war merely the passage across neutral and friendly territory such as Germany publicly proclaimed, or the complete or partial subjection of Belgium such as she confidentially confessed to Great Britain,—this war is the last thing in the world that Belgium deserved.

Strong in her probity, her loyalty, and her innocence, Belgium will never accept the verdict of arms. Confident and resolute, she lays her cause before the judgment of those nations who find their highest pride in the sentiment of national honour.

APPENDIX

REPORT OF THE CHIEF OF THE BELGIAN GENERAL STAFF RESPECTING THE CONFIDENTIAL INTERVIEWS WITH THE BRITISH MILITARY ATTACHÉ IN 1906.¹

(Translation.)

Lettre à M. le Ministre de la Guerre au sujet des Entretiens confidentiels.

Letter to the Minister of War respecting the confidential Interviews.

(Confidentielle.) *Bruxelles,*
le 10 avril, 1906.

(Confidential.)
Brussels, April 10, 1906.

M. LE MINISTRE,

SIR,

J'ai l'honneur de vous rendre compte sommairement des entretiens que j'ai eus avec le Lieutenant-Colonel Barnardiston et qui ont fait l'objet de mes communications verbales.

I have the honour to furnish herewith a summary of the conversations which I have had with Lieutenant-Colonel Barnardiston, which I have already reported to you verbally.

La première visite date de la mi-janvier. M. Barnardiston me fit part des préoccupations de l'état-major de son pays relativement à la situation politique générale et aux éventualités de guerre du moment.

His first visit was in the middle of January. Lieutenant-Colonel Barnardiston told me of the preoccupation of the British General Staff concerning the general political situation and the existing

¹ I give the text of the Report textually as General Ducarne has drawn it himself, viz.: introducing the additions and corrections made by him, on the rough draft that was found in Brussels.

Un envoi de troupes, d'un total de 100,000 hommes environ, était projeté pour le cas où la Belgique serait attaquée.

Le lieutenant-colonel m'ayant demandé comment cette action serait interprétée par nous, je lui répondis que, au point de vue militaire, elle ne pourrait qu'être favorable; mais que cette question d'intervention relevait également du pouvoir politique et que, dès lors, j'étais tenu d'en entretenir le Ministre de la Guerre.

M. Barnardiston me répondit que son Ministre à Bruxelles en parlerait à notre Ministre des Affaires Étrangères.

Il continua dans ce sens: le débarquement des troupes anglaises se ferait sur la côte de France, vers Dunkerque et Calais, de façon à hâter le plus possible le mouvement. L'entrée des Anglais en Belgique ne se ferait qu'après la violation de notre neutralité par l'Allemagne. Le débarquement par Anvers demanderait beaucoup plus de temps, parce qu'il faudrait des transports plus considérables et d'autre part la sécurité serait moins complète.

Ceci admis, il resterait à régler divers autres points,

possibilities of war. Should Belgium be attacked, it was proposed to send about 100,000 men.

The lieutenant-colonel having asked me how we should interpret such a step, I answered that, from the military point of view, it could only be advantageous; but that this question of intervention had also a political side, and that I must accordingly consult the Minister of War.

Lieutenant-Colonel Barnardiston replied that his Minister at Brussels would speak about it to our Minister for Foreign Affairs.

He continued as follows: The disembarkation of the British troops would take place on the French coast, in the neighbourhood of Dunkirk and Calais, in such a manner that the operation might be carried out in the quickest possible way. The entry of the English into Belgium would only take place after the violation of our neutrality by Germany. Landing at Antwerp would take much longer, as larger transports would be required, and, moreover, the risk would be greater.

This being so, several other points remained to be decided,

savoir: les transports par chemin de fer, la question des réquisitions auxquelles l'armée anglaise pourrait avoir recours, la question du commandement supérieur des forces alliées.

Il s'informa si nos dispositions étaient suffisantes pour assurer la défense du pays durant la traversée et les transports des troupes anglaises, temps qu'il évaluait à une dizaine de jours.

Je répondis que les places de Namur et de Liège étaient à l'abri d'un coup de main et que, en quatre jours, notre armée de campagne, forte de 100,000 hommes, serait en état d'intervenir. Après avoir exprimé toute sa satisfaction au sujet de mes déclarations, mon interlocuteur insista sur le fait que: (1) notre conversation était absolument confidentielle; (2) elle ne pouvait lier son Gouvernement; (3) son Ministre, l'état-major général anglais, lui et moi étions seuls, en ce moment, dans la confidence; (4) il ignorait si son Souverain avait été présent.

Dans un entretien subséquent, le Lieutenant-Colonel Barnardiston m'assura qu'il n'avait jamais reçu de confidences d'autres attachés militaires au sujet de notre armée. Il précisa ensuite les don-

viz., transport by rail, the question of requisitions to which the British Army might have recourse, the question of the chief command of the allied forces.

He enquired whether our arrangements were adequate to secure the defence of the country during the crossing and transport of the British troops—a period which he estimated at about ten days.

I answered that the fortresses of Namur and Liège were safe against a surprise attack, and that in four days our field army of 100,000 men would be ready to take the field. After having expressed his entire satisfaction at what I had said, my visitor emphasized the following points: (1) Our conversation was absolutely confidential; (2) it was in no way binding on his Government; (3) his Minister, the British General Staff, he, and myself were the only persons then aware of the matter; (4) he did not know whether his Sovereign had been consulted.

At a subsequent meeting Lieutenant-Colonel Barnardiston assured me that he had never received any confidential information from other military attachés about our army. He then gave me a detailed

nées numériques concernant les forces anglaises; nous pouvions compter que, en douze ou treize jours, seraient débarqués: deux corps d'armée, quatre brigades de cavalerie, et deux brigades d'infanterie montée.

Il me demanda d'examiner la question du transport de ces forces vers la partie du pays où elles seraient utiles, et dans ce but, il me promit la composition détaillée de l'armée de débarquement.

Il revint sur la question des effectifs de notre armée de campagne en insistant pour qu'on ne fît pas de détachements de cette armée à Namur et à Liège, puisque ces places étaient pourvues de garnisons suffisantes.

Il me demanda de fixer mon attention sur la nécessité de permettre à l'armée anglaise de bénéficier des avantages prévus par le règlement sur les prestations militaires. Enfin, il insista sur la question du commandement suprême.

Je lui répondis que je ne pouvais rien dire quant à ce dernier point, et je lui promis un examen attentif des autres questions.

Plus tard, l'attaché militaire anglais confirma son estimation précédente: douze jours

statement of the strength of the British forces: we might rely on it that, in twelve or thirteen days, two army corps, four cavalry brigades, and two brigades of mounted infantry would be landed.

He asked me to study the question of the transport of these forces to that part of the country where they would be most useful, and with this object in view he promised me a detailed statement of the composition of the landing force.

He reverted to the question of the effective strength of our field army, and considered it important that no detachments from that army should be sent to Namur and Liège, as those fortresses were provided with adequate garrisons.

He drew my attention to the necessity of letting the British Army take full advantage of the facilities afforded under our regulations respecting military requirements. Finally, he laid stress on the question of the chief command.

I replied that I could say nothing on the latter point, and I promised that I would study the other questions with care.

Later, the British military attaché confirmed his previous estimate: twelve days at least

seraient au moins indispensables pour faire le débarquement sur la côte de France. Il faudrait beaucoup plus (un à deux mois et demi) pour débarquer 100,000 troupes à Anvers.

Sur mon objection qu'il était inutile d'attendre l'achèvement du débarquement pour commencer les transports par chemin de fer, et qu'il valait mieux les faire au fur et à mesure des arrivages, à la côte, le Lieutenant-Colonel Barnardiston me promit des données exactes sur l'état journalier du débarquement.

Quant aux prestations militaires, je fis part à mon interlocuteur que cette question serait facilement réglée.

A mesure que les études de l'état-major anglais avançaient, les données du problème se précisaient. Le colonel m'assura que la moitié de l'armée anglaise pourrait être débarquée en huit jours, et que le restant le serait à la fin du douzième ou treizième jour, sauf l'infanterie montée, sur laquelle il ne fallait compter que plus tard.

Néanmoins, je crus devoir insister à nouveau sur la nécessité de connaître le rendement journalier, de façon à

were indispensable to carry out the landing on the coast of France. It would take much longer (from one to two and a half months) to land 100,000 men at Antwerp.

On my objecting that it would be useless to wait till the disembarkation was finished, before beginning the transport by rail, and that it would be better to send on the troops by degrees as they arrived on the coast, Lieutenant-Colonel Barnardiston promised me precise details of the daily disembarkation table.

With regard to the question of military requirements, I informed my visitor that that question would easily be arranged.

As the plans of the British General Staff advanced, the details of the problem were worked out with greater precision. The colonel assured me that half the British Army could be landed in eight days, and the remainder at the end of the twelfth or thirteenth day, except the mounted infantry, on which we could not count till later.

Nevertheless, I felt bound once more to urge the necessity of knowing the numbers to be landed daily, so as to work

régler les transports par chemin de fer de chaque jour.

L'attaché anglais m'entre-tint ensuite de diverses autres questions, savoir: (1) nécessité de tenir le secret des opérations et d'obtenir de la presse qu'elle l'observât soigneusement; (2) avantages qu'il y aurait à adjoindre un officier belge à chaque état-major anglais, un traducteur à chaque commandant de troupes, des gendarmes à chaque unité pour aider les troupes de police anglaises.

Dans une autre entrevue, le Lieutenant-Colonel Barnardiston et moi examinâmes les opérations combinées dans le cas d'une agression de la part de l'Allemagne ayant comme objectif Anvers et dans l'hypothèse d'une traversée de notre pays pour atteindre les Ardennes françaises.

Par la suite, le colonel me marqua son accord sur le plan que je lui avais présenté et m'assura de l'assentiment du Général Grierson, chef de l'état-major anglais.

D'autres questions secondaires furent également réglées, notamment en ce qui regarde les officiers intermédiaires, les traducteurs, les gendarmes, les cartes, les albums des uniformes, les tirés à part traduits en anglais de certains

out the railway arrangements for each day.

The British attaché then spoke to me of various other questions, viz.: (1) The necessity of maintaining secrecy about the operations, and of ensuring that the Press should observe this carefully; (2) the advantages there would be in attaching a Belgian officer to each British staff, an interpreter to each commanding officer, and gendarmes to each unit to help the British military police.

At another interview Lieutenant-Colonel Barnardiston and I examined the question of combined operations in the event of a German attack directed against Antwerp, and on the hypothesis of our country being crossed in order to reach the French Ardennes.

Later on, the colonel signified his concurrence in the scheme I had laid before him, and assured me of the assent of General Grierson, Chief of the British General Staff.

Other questions of secondary importance were likewise disposed of, particularly those respecting intermediary officers, interpreters, gendarmes, maps, illustrations of uniforms, English translations of extracts from certain Belgian regula-

règlements belges, le règlement des frais de douane pour les approvisionnements anglais, l'hospitalisation des blessés de l'armée alliée, &c. Rien ne fut arrêté quant à l'action que pourrait exercer sur la presse le Gouvernement ou l'autorité militaire.

Dans les dernières rencontres que j'ai eues avec l'attaché anglais, il me communiqua le rendement journalier des débarquements à Boulogne, Calais et Cherbourg. L'éloignement de ce dernier point, imposé par des considérations d'ordre technique, occasionne un certain retard. Le premier corps serait débarqué le dixième jour, et le second corps le quinzième jour. Notre matériel des chemins de fer exécuterait les transports, de sorte que l'arrivée, soit vers Bruxelles-Louvain, soit vers Namur-Dinant, du premier corps serait achevée le onzième jour, et celle du deuxième corps, le seizième jour.

J'ai insisté une dernière fois et aussi énergiquement que je le pouvais, sur la nécessité de hâter encore les transports maritimes de façon que les troupes anglaises fussent près de nous entre le onzième et le douzième jour; les résultats les

tions, the regulation of customs dues chargeable on the British supplies, hospital accommodation for the wounded of the allied army, &c. Nothing was settled as to the possible control of the Press by the Government or the military authorities.

In the course of the last meetings which I had with the British attaché he communicated to me the daily disembarkation table of the troops to be landed at Boulogne, Calais, and Cherbourg. The distance of the latter place, included owing to certain technical considerations, would cause a certain delay. The first corps would be landed on the tenth day, the second corps on the fifteenth day. Our railways would carry out the transport operations in such a way that the arrival of the first corps, either towards Brussels-Louvain or towards Namur-Dinant, would be completed on the eleventh day and that of the second corps on the sixteenth day.

I finally urged once again, as forcibly as was within my power, the necessity of accelerating the transport by sea in order that the British troops might be with us between the eleventh and the twelfth day; the very best and most favour-

plus heureux, les plus favorables peuvent être obtenus par une action convergente et simultanée des forces alliées. Au contraire, ce sera un échec grave si cet accord ne se produit pas. Le Colonel Barnardiston m'a assuré que tout sera fait dans ce but.

Au cours de nos entretiens, j'eus l'occasion de convaincre l'attaché militaire anglais de la volonté que nous avions d'entraver, dans la limite du possible, les mouvements de l'ennemi et de ne pas nous réfugier, dès le début, dans Anvers. De son côté, le Lieutenant-Colonel Barnardiston me fit part de son peu de confiance actuellement dans l'appui ou l'intervention de la Hollande. Il me confia également que son Gouvernement projetait de transporter la base d'approvisionnements anglaise de la côté française à Anvers, dès que la mer du nord serait nettoyée de tous les navires de guerre allemands.

Dans tous nos entretiens le colonel me communiqua régulièrement les renseignements confidentiels qu'il possédait sur l'état militaire et la situation de notre voisin de l'est, &c. En même temps, il insista sur la nécessité impérieuse pour la Belgique de se tenir au

able results would accrue from the concerted and simultaneous action by the allied forces. On the other hand, a serious check would ensue if such co-operation could not be achieved. Colonel Barnardiston assured me that everything would be done with that end in view.

In the course of our conversations I took the opportunity of convincing the military attaché of our resolve to impede the enemies' movements as far as lay within our power, and not to take refuge in Antwerp from the outset. Lieutenant-Colonel Barnardiston, on his side, informed me that he had at present little confidence in the support or intervention of Holland. He likewise confided to me that his Government intended to move the British base of supplies from the French coast to Antwerp as soon as the North Sea had been cleared of all German warships.

At all our interviews the colonel regularly communicated to me any confidential information he possessed respecting the military condition and general situation of our eastern neighbour, &c. At the same time he laid stress on the imperative need for

courant de ce qui se passait dans les pays rhénans qui nous avoisinent. Je dus lui confesser que, chez nous, le service de surveillance au delà de la frontière, au temps de paix, ne relève pas directement de notre état-major; nous n'avons pas d'attachés militaires auprès de nos légations. Je me gardai bien, cependant, de lui avouer que j'ignorais si le service d'espionnage, qui est prescrit par nos règlements, était ou non préparé. Mais il est de mon devoir de signaler ici cette situation qui nous met en état d'infériorité flagrante vis-à-vis de nos voisins, nos ennemis éventuels.

Le Général-Major, Chef d'E.-M. DUCARNE.

Note.—Lorsque je rencontrai le Général Grierson à Compiègne, pendant les manœuvres de 1906, il m'assura que la réorganisation de l'armée anglaise aurait pour résultat non seulement d'assurer le débarquement de 150,000 hommes, mais de permettre leur action dans un délai plus court que celui dont il est question précédemment.

DUCARNE.

Fin septembre 1906.

Belgium to keep herself well informed of what was going on in the neighbouring Rhine country. I had to admit to him that in our country the intelligence service beyond the frontier was not, in times of peace, directly under our General Staff. We had no military attachés at our legations. I took care, however, not to admit to him that I was unaware whether the secret service, prescribed in the Belgian military regulations, was organized or not. But it is my duty here to call attention to this state of affairs, which places us in a position of glaring inferiority to that of our neighbours, our possible enemies.

Major-General,
Chief of General Staff.

DUCARNE.

Note.—When I met General Grierson at Compiègne at the manoeuvres of 1906 he assured me that the reorganization of the British army would result not only in ensuring the landing of 150,000 men, but in enabling them to take the field in a shorter period than had been previously estimated.

DUCARNE.

End of September, 1906.

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